



Eddie Baza Calvo
Governor of Guam

Ray Tenorio
Lieutenant Governor of Guam

Commission Members

David J. Matanane
Chairman

Joseph I. Cruz
Vice-Chairman

Amanda L.G. Santos
Commissioner

Pascual V.A. Sabian
Commissioner

(Vacant)
Commissioner

Michael J.B. Barja
Administrative Director

Chamorro Land Trust Commission

(Kumision Inangokkon Tano' Chamoru)

P.O. Box 2950 Hagåtña, Guam 96932

Phone: 649-5263 ext. 435 Fax: 649-5383

REGULAR BOARD MEETING AGENDA

Department of Land Management Conference Room
3rd Floor, ITC Building, Tamuning
Thursday, November 19, 2015; 1pm

- I. **CALL TO ORDER**
- II. **ROLL CALL**
- III. **APPROVAL OF MINUTES**
 1. August 20, 2015
 2. September 17, 2015 – Rules & Regs Public Hearing
- IV. **PUBLIC COMMENTS**
- V. **OLD BUSINESS**
 1. Commercial Rules & Regs Status: P.L. 33-95
 2. Loan Guarantee Rules & Regulations
- VI. **NEW BUSINESS**
 1. Vicente B. Mesa & Joseph B. Mesa – Request to subdivide lease
 2. Mark Duenas – Opening of easement
 3. Artemio Tudela Maanao – Request to issue leases to Edward T. Maanao, Barbara C. Maanao and Artemio C. Maanao
 4. Review and approval of parcels designated for commercial use
 5. Guam Resource Recovery Partners account status
- VII. **DIRECTOR'S REPORT**
 1. Revenue collection report for August, September & October 2015
- VIII. **ADJOURNMENT**



Eddie Baza Calvo
Governor of Guahan

Ray Tenorio
Lieutenant Governor of Guahan

Commission Members

(Vacant)
Chairman

Joseph I. Cruz
Vice-Chairman

Amanda L.G. Santos
Commissioner

Pascual V.A. Sablan
Commissioner

(Vacant)
Commissioner

Michael J.B. Borja
Administrative Director

Rev. 11/17/2015

Chamorro Land Trust Commission

(Kumision Inangokkon Tano' Chamoru)

P.O. Box 2950 Hagåtān, Guahan 96932

Phone: 649-5263 ext. 435 Fax: 649-5383

COMMISSION MEETING MINUTES

Department of Land Management Conference Room

3rd Flr., ITC Building, Tamuning

Thursday, November 19, 2015; 1pm – 4:25pm

I. CALL TO ORDER

Meeting was called to order at 1pm by Vice-Chairman Joseph Cruz.

II. ROLL CALL

Present were Vice-Chairman Joseph Cruz, Commissioner Amanda Santos, Commissioner Pascual Sablan, Nominated Commissioner David Matanane, Legal Counsel Kristan Finney and Administrative Director Michael Borja.

III. APPROVAL OF MINUTES

1. August 20, 2015

Commissioner Pascual Sablan moved to approve the minutes of August 20, 2015. Commissioner Amanda Santos seconded the motion. There were no objections, MOTION PASSED.

2. September 17, 2015 - Loan Guaranty Rules and Regs Public Hearing

Commissioner Pascual Sablan moved to approve the minutes of September 17, 2015. Commissioner Amanda Santos seconded the motion. There were no objections, MOTION PASSED.

IV. PUBLIC COMMENTS

(Chamorro translation by CLTC staff, Eileen Chargualaf)

1. **Rosa Cruz** – *Good Morning to all of you. I am Rosa Santiago Nauta Cruz. I live at Route 15 back road to Anderson. I have a paper when I called the Chamorro Land Trust. If it's okay I speak Chamorro to you all. I understand to speak Chamorro, Korean and Filipino but I'm pure Chamorro. When I called Chamorro Land Trust they told me this and this. The secretary in the front said that they needed my son's birth certificate, Robert Santiago Nauta, Jr. I raised all my kids since they were small. Two of my husband's died. I don't go bingo or gallivanting. I'm bigger than you but when my daughter was a teenager the late Ignacio Quinata Cruz said from this point to this point take whatever girl because you're a teenager. When they knocked on my window I looked out, below me is Jackson, Trukese, Palau. When I looked out the window nothing. I turned around and I laid down on my late husband's blanket. My daughter knocked on my door then I got up she said mommy I'm sleepy. I turned around and spoke Filipino to her and she did not understand. I was crying when I came to the office here yesterday because where am I going to stay with my kids. I was 9 years old when I stayed in Pagat Mangilao. My house is not far from former Senator Nelson's house. They know me at the Barrigada Satellite, Dededo Police Station, Fire Department in*

Yigo, concerned parents and community okay. I came this time to find out where am I going to live with my children. I have two kids who are staying with me and I have three grands. They said mommy where are we going to stay? I said I don't know everybody needs money left to right okay. They said but mommy oh we're going to go, we got this, we got that, I said I don't know my son just pray we'll see what's the outcome okay. So that's why I came this time I told my son because he works at Leo Palace to wait for me until I finish I cannot say. I have a paper and God bless the late Angel, the late Lydia and the late Joseph from Department of Agriculture because I have pigs. Yes I have a map everything and no one from Land Trust ever came to my house. My papers were signed. I have all my papers how come we have to move from where we're at now that my kids are grown? They told me that I have to get a birth certificate for my son.

Nominated Commissioner David Matanane – *What kind of paper do you have? A lease from Chamorro Land Trust or who gave you that paper?*

Rosa Cruz - *When the late Joseph Lancho asked if we had any pigs and here is my papers and I have a map.*

Nominated Commissioner David Matanane – *Did they authorize you to stay there?*

Rosa Cruz – Yes.

Administrative Director Michael Borja - This is John Gumataotao one of our land agents. John you were working on this case?

John Gumataotao (CLTC) – Yes. Good afternoon my name is John Gumataotao I'm a land agent for Chamorro Land Trust. Ms. Cruz came in the other day and after reviewing her file it was determined that she was residing on ancestral lands. So part of our policy is to try and help her get her paperwork together so I requested for her to submit her son's birth certificate.

Commissioner Pascual Sablan – Excuse me, Ancestral or Chamorro?

John Gumataotao (CLTC) – Ancestral lands. So what we're trying to do is we're trying to relocate her to a confirmed available Chamorro Land Trust property. I advised her that she appear before the Board and try and maybe get some assistance to help her relocate because financially it's going to burden her.

Nominated Commissioner David Matanane – John did you check and see if she applied?

John Gumataotao (CLTC) – Yes she did. Unfortunately her application is 1996 but there's documentation that she was residing on the property since prior to 1994.

Administrative Director Michael Borja - So the issue of moving is I don't think it's going to be a problem.

Nominated Commissioner David Matanane – We're not taking her out of ancestral she's staying there.

Rosa Cruz – We were staying there for a long time.

Commissioner Amanda Santos – It's the land agent that gave her the wrong land.

Administrative Director Michael Borja - No, no, nobody gave her the wrong land.

Commissioner Amanda Santos – She just moved in?

Administrative Director Michael Borja - No she was already there and then it became declared as Ancestral Lands and that's why there's a problem because at some point is it going to be returned? Is this ancestral land designated for return or has it been returned?

John Gumataotao (CLTC) – It hasn't been returned yet but I advised her that we don't know what the future holds for this property so it's in our best interest that we try and get her paperwork together today and try and relocate her.

Vice-Chairman Joseph Cruz- Do we have a recommended site?

John Gumataotao (CLTC) - We've identified an available property which is across the street and in what was identified as her original, she was designated to stay is in the basic Lot 5402 which is maybe about 3,000 feet from where she's located to the south but on the adjacent on the opposite side of the road. It's a little difficult to (interrupted).

Administrative Director Michael Borja - So right now there is not an immediate requirement to be relocated because there's not an existing land return case.

Margarita Borja (DLM) – Well I just confirmed it is Crown Lands.

Administrative Director Michael Borja - Oh it is Crown Lands.

Margarita Borja (DLM) – It's not going to be returned to any original landowner.

Administrative Director Michael Borja - Okay so the Crown Lands belongs to Ancestral Lands Commission for use for their use to make money on. So there really shouldn't be anybody on there and that's the reason why. But until I would say that until we can identify something she's been given the information that she can't be there but I don't think there's an immediate need to be relocated away from there but maybe we can still find a place for her so that if her family wants to eventually to relocate at some point they have a place they can go to. But when the Ancestral Lands Commission decides that they're going to lease that portion of property that Crown Land for their needs then there will be a need for her to move but until that's done there's no immediate requirement to be (interrupted).

Vice-Chairman Joseph Cruz – But has she approached the Commission, the Ancestral?

Administrative Director Michael Borja - I don't think you've gone to the Ancestral but I don't think the Ancestral Lands Commission yeah they don't entertain people having personal leases on their property.

Nominated Commissioner David Matanane – But then who authorized you to stay on that piece of property? Who gave you the authorization? You said you gave papers. Who gave her the authority to go into that land?

Rosa Cruz – The former Governor Carl Gutierrez and Madeleine Lieutenant and the Director of, I got all of my documents. That's why for two days and I always tell my son and my daughter I don't like, mommy you have to eat, I said no it's okay I'll drink coffee, no mommy.

Nominated Commissioner David Matanane – John check and see who authorized her to stay on that piece of property.

John Gumataotao (CLTC) – As far as physical occupation of property it wasn't established who authorized her but there is documentation on file that the prior Administrative Director for CLTC gave what we call a utility authorization for a designated lot which is like I said 3,000 feet (interrupted).

Nominated Commissioner David Matanane – She has that document?

Administrative Director Michael Borja - For a different lot than what she's living on.

John Gumataotao (CLTC) – Correct.

Rosa Cruz – Nobody since we stayed there nobody came and tell me this and that, nobody. And my children go to school in Price then go to Mt. Santa Rosa, UPI then Agueda and GW.

Nominated Commissioner David Matanane – How far back was she allowed to and which Director had, what year was that?

John Gumataotao (CLTC) – Actually it was in 2012 where we identified that Ms. Cruz was supposedly occupying federal excess lands and then it became Ancestral but (interrupted).

Nominated Commissioner David Matanane – But Chamorro Land Trust had authorized her to stay there.

Rosa Cruz – Yes, the son and God bless Angel Santos and Lydia said you're good Auntie Rose, you're good you know.

John Gumataotao (CLTC) – It was actually in 1997 where there was an authorization for utility hook up.

Rosa Cruz – I got all my water, my power.

Nominated Commissioner David Matanane – We don't have a record on that in our files?

John Gumataotao (CLTC) – Yes we do. For the utility authorization it was administered by Mr. Borja Administrative Director at that time, Mr. Joseph Borja.

Nominated Commissioner David Matanane – We should have entertained that if it was entertained by Chamorro Land Trust. So tell you what I think John since you're working with her I think you should work it out with the Director to find out we have certain records there already in Chamorro Land Trust right for utility hook ups and I think you (interrupted).

Rosa Cruz – Yeah I got my papers here for my water and my power.

Nominated Commissioner David Matanane – I think we should look at it and see what we can do.

Administrative Director Michael Borja - Well yes we'll work with you Mrs. Cruz to figure out how we can do this but like I said where she's staying at right now is not Chamorro Land Trust so we don't have any jurisdiction of that. It's Ancestral Lands but there's no immediate need to be moved. You're being advised that eventually there might be a reason for Guam Ancestral Lands Commission to use that land.

Nominated Commissioner David Matanane – *Nobody is chasing you out but you. Better check and make sure to make it right and right now they are not chasing you. We are not Ancestral we are Chamorro Land Trust but if you have papers contact Chamorro Land Trust and if Chamorro land Trust gave you the papers then I think it's fair that we look into it and see what's going on.*

Rosa Cruz – *I saw someone from GPA yesterday and I approached him I said can you listen to me because I'm a parent and I have papers that I'm a senior citizen.*

Administrative Director Michael Borja - But see that's where the problem could come up with is that in the event you lose any of your utilities for whatever reason and you need a utility authorization from us Guam Power Authority and Guam Waterworks Authority have become much more strict on the requirements from us. What they want from us is a survey that the land exists in a survey map and that she has legal authorization to use that property. That's where we will have the problem in providing a utility authorization and we'll help in trying to work one on one on specific cases because I'm not going to deny people from having basic needs like water. But that's where the problem will exist because we do not have legal authority to say she can use the land from Chamorro Land Trust so our utility authorization would have to be worked on a one to one. My only recommendation to you is do not have your utilities disconnected for nonpayment at any time because getting it hooked up again can be almost impossible.

Rosa Cruz – *Yes I understand.*

Administrative Director Michael Borja - And it'll be hard for us to help you with that. But for now we're not going to tell you to leave we're just telling you that you're not supposed to be there. Maybe your children if they want to build a home of their own and use the land that we're going to designate for you they can begin the process of starting to use that land. We can work on a lease for something else where and they can begin at some point to build a home there if they can and want and then we can give you that utility authorization for that other piece of property. Are you directly going towards Anderson on the right side of the street?

Rosa Cruz – No.

Margarita Borja (DLM) – After the golf course.

Administrative Director Michael Borja - After the golf course. Not by the Pagat substation?

Rosa Cruz – You would not get lost boy I'm on the right side of the street because I have betel nut, flowers, star apple trees, lemon, lemai. This visitor reversed onto my land and picked lemai. I said excuse me who told you to pick the breadfruit? Nobody. Did you see flowers, did you see clothes line? Yes ma'am but it's very nice.

Administrative Director Michael Borja - What's the problem with the birth certificate?

John Gumataotao (CLTC) – I just requested so that her application and all her documents are complete so that when we do request for a survey or submit it before our supervisors everything is complete she's not missing anything.

Administrative Director Michael Borja - Okay so her folder is complete or you're trying to get it complete.

Rosa Cruz – *I was told the day before yesterday that they needed my son's birth certificate. Yes I have the birth certificate.*

Administrative Director Michael Borja - Okay.

Commissioner Pascual Sablan – Why is all these things coming before us we don't have any reference?

Rosa Cruz – *That's why I'm saying why now.*

Commissioner Pascual Sablan – I'd like to participate and put my input rather than just back and forth.

Administrative Director Michael Borja - Well this is what public comments are.

Commissioner Pascual Sablan – He has a copy of some of the documents from her right?

Administrative Director Michael Borja - Right but we were not expecting her to be here today she just came in for public comments so she's bringing it to our attention. We'll work with you okay. John will be working with you so we got your concerns noted.

Rosa Cruz – *I always call here and I always leave my number.*

Administrative Director Michael Borja - John will work with you okay. We'll be working with you.

Nominated Commissioner David Matanane – When all your paperworks are finished John will present it again so we can take a look at all of your papers when everything is complete. We are already aware, the Director knows. John you guys are going to work on that and make sure that all the documents are there. But as far as when you were saying when did you say you applied?

Rosa Cruz – Late '96 I stayed there. Here is my paper for power and water.

Nominated Commissioner David Matanane – Would it have a numbering system where people are falling into place?

Administrative Director Michael Borja - Well that's what we have to work on I can't tell you what's going on until we find out more details. I'll work with John and Mrs. Cruz.

Nominated Commissioner David Matanane – We're going to look into it. Come back and see John and see when you can see us again. Have all you papers complete and then that's when it can be presented again.

Rosa Cruz – Thank you and Happy Thanksgiving to all of you and your family.

2. Frances Faria – My name is Frances Camacho Faria. I came here today because of all these that have been happening to not myself my family but to others. My late father is Ignacio Rivera Camacho and we had had the arrendo up at Astumbo. It was just 2012 because I had my papers from the arrendo and I have been seeking to reinstate myself back in Astumbo. But we lost my father in 1979 and it was very hard for the family and we go to the ranch because we had our produce and whatever. But at one point in time when my mother got sick again from the accident we seldom go up there but when I went up there one day there was a sign keep out private property. So I immediately looked at my paper because I remembered that that paper was signed, sealed and delivered with the understanding that as a person authorized to be on that property the only way the Government can take it back from us is if they're going to build a school, anything for Government entity. So from there on and this is like two years after my father died I went and I saw then the Director Joe Cruz down in Agana. And brought my documents with me and I said am I still entitled with this property and he said yeah but I'm the Director so I can make changes. So I told him that you know that I don't think that's the way things are supposed to plus why is that now it is a private property and why is it that there's no access? They even put branches over our driveway and they were coming in from the back.

So it kind of just stepped of that but that area that I'm talking about in Astumbo is divided into four when my father moved from the inner part to there where it's my dad Ignacio Camacho, myself then my youngest sister Mary and then his brother in the back. But the people that were living that moved into the area were coming in from the back side. So I with Mr. Cruz after the argument I guess offered to send somebody up there with me to see the location and when the gentleman from his office came he took the bolt cutter and cut the chain plus they brought their papers with them knowing that we are entitled to be there. But then nothing happened and it just went to waste. But what brought all these things up is reading the paper where the grandchildren of the late Mr. Garrido and got their arrendo property because they stood up. Not any of us have property in my family. I have two brothers that are, one is waiting and the other one is moving. But Mr. Borja with all respect I had talked to Mr. Cruz back in the middle '60s and I just before and I'm sorry just before Monte had gotten sick I discussed this with him too. And he did ask me because he said that he had a very big issue going on right now and he would get back to me but then something happened to him and I'm sorry for that because I felt that Land Management is there to help people. So now to today since I signed since I came in and listed myself with the Land Trust nothing has come yet and I know that the late Mr. Monte had started working because he did recognized some things and we only talked on the phone. But sir I have documents to be up there at Astumbo and I would be more than honored if we can get back into it.

Administrative Director Michael Borja - Okay and you and I had never spoken before.

Frances Faria – Oh no, no sir.

Administrative Director Michael Borja - This is the first time I've had any idea about this specific case although I think I know, who was your father?

Frances Faria – Tun Ignacio Camacho.

Administrative Director Michael Borja - Do we have one of those files? No?

Frances Faria – And see my father is the grandfather of Astumbo because as we grew up on the ranch he really went out of his way. He got the people in Astumbo water, power. Many times Government officials would meet up at Mr. Perez' small chapel you know and it was going good for the arrendo.

Administrative Director Michael Borja - Well I'll be happy to sit down and talk with you in a setting where we can look into this in more detail and understand what's going on because like I said I don't know any of the details of what's going on here. And yes while you've read some stuff in the paper of what had happened I mean every case is different and that's why you know you'll see later on in this meeting agenda we actually have some specific cases that the Commissioners are going to look at one on one because they're peculiar, they're different, they're out of the box kind of stuff and yet we have to you know try and make right or do something to assist. So if you don't mind I mean we can set up an

appointment to sit down and talk about this with my staff so we can get the greater detail and see where we can go from there.

Frances Faria – Mr. Borja this is why I decided to come back and state my case to you people because there's been too many la las going on okay. I even went and I talked to then Oscar Calvo at Land Trust and you know.

Administrative Director Michael Borja - Well this is the Commissioners of the Chamorro Land Trust Commission today, this is the Administrative Director of the Chamorro Land Trust today. This is the first I've heard of this issue so whatever la la you had experienced please give us an opportunity to work on it today okay and we'll be happy to get to that point. But you know we can't make a decision and say we're going to give it to you today we have to work out the minute details of what this is all about and what we can do and what our options are and then we can move to that.

Frances Faria – I'm only knocking on the door sir. I see and I pray that this Commission will keep on working because I see a good direction now.

Administrative Director Michael Borja - Thank you.

Frances Faria – And maybe not just for me but for a lot of people that are waiting.

Administrative Director Michael Borja - Yeah and we're trying to move on. Like I said I don't even know what your date of application is that we can move from there.

Frances Faria – 1995.

Administrative Director Michael Borja - Okay so you know.

Frances Faria – That's for the Land Trust.

Administrative Director Michael Borja - So we'll work from there to see where we are in all this whole thing.

Nominated Commissioner David Matanane – Bring all your records and then come in whatever records you have.

Frances Faria – Right now you can consider me homeless. My house was broken in in 2012 I mean talk about even toilet tissue was stolen, door jams were broken. I was really (didn't finished).

Nominated Commissioner David Matanane – But you had recent contact with Chamorro Land Trust right?

Frances Faria – I did talk to (interrupted).

Nominated Commissioner David Matanane – I believe we should have a record or stuff at least mention the arrendo and I believe if it is an arrendo we would have some record. But please contact the Director and the staff so (interrupted).

Administrative Director Michael Borja - You have my card that number rings in my office. There's no extensions to punch in so just go ahead and give a call and we'll set up an appointment. I will have to apologize early because next week is very busy already. I got a lot of clients throughout but we can try and fit something in. Friday is actually an open day but that's next week but then after that it's free. But I have some very urgent meetings with a lot of clients all next week.

Frances Faria – I know that but I thought I would just (interrupted).

Administrative Director Michael Borja - But give a call and Myrna will help you out up at my office.

Frances Faria – Thank you.

Administrative Director Michael Borja - Your very welcomed thank you for coming.

V. OLD BUSINESS

1. Commercial Rules & Regs Status: P.L. 33-95

Administrative Director Michael Borja - Bill 175-33 which was the commercial rules and regulations was passed by the Legislature and approved by the Governor and made into Public Law 33-95 so we now have a set of rules and regulations for the commercial use of properties. You were provided a copy of it and I hope you had a chance to read it. Most of it in there is basically a lot of the stuff that we had talked about in the original set of rules and regulations. It did also provide us the change in the law to allow for subleases of structural portions of the property and not to sublease the land and also gave us the assignment of the leases. It establishes a procedure on how to come up with the properties and that's what we'll be talking about here a little later on on one of the agenda items to go over a listing of properties that we want to propose to use for commercial use. It also killed any other activities that we may have had opened. For example the Lajuna project that was solicited through GEDA that has been deemed to be void. So we can't, that's done and we have to start all over again if we want to pursue that. So that's the essence of what this is and if you have any other specific questions or comments about it I'll be happy to help maybe answer it.

Nominated Commissioner David Matanane – Mr. Chairman since you're on that subject matter the subletting I think it's time for you now to write that letter to a certain lessee who has been subleasing and give him notice that he's violating his lease. A couple of months back we had an individual that was doing that and I think now we need to write that letter and emphasize on it.

Administrative Director Michael Borja - Will do. That had to do with Peter San Nicolas who is licensing a property up in Dededo.

Commissioner Amanda Santos – So he's still leasing it?

Administrative Director Michael Borja - License it's a license agreement but he was sub-licensing portions of his property. So if he wants to be able to sublicense he can do it now but he has to then probably comply with some of the requirements in here on rental.

Nominated Commissioner David Matanane – On that note we should have penalty provision in there or some sort of at least wrist slapping or whatever.

Administrative Director Michael Borja - Well you know you got to be careful how you apply this to existing leases and licenses because they were created under different conditions some by law and others. If they want to take part of any part of the provisions of these new rules and regulations then they can probably they can fall under these rules and regulations you know. It's a two way street but (interrupted).

Nominated Commissioner David Matanane – Yes but it was doing the wrist slapping to us rather than us giving him the slapping.

Commissioner Amanda Santos – Is he still leasing that Thailand restaurant?

Administrative Director Michael Borja - I have no idea what he's done. We didn't approve his business license.

Nominated Commissioner David Matanane – He wanted you to write him a letter remember on the minutes the last previous minutes. He was indicating that he wants you to write so to take it to heart, take it to record. But really now if he wants to go into the new in essence actually if he doesn't want to renew his lease or go to the new lease then he should be taken out of the contract or leases or license.

Commissioner Pascual Sablan – That is if he wants to continue the sublicensing right?

Administrative Director Michael Borja - Right.

Commissioner Pascual Sablan – But let's say he (interrupted).

Nominated Commissioner David Matanane – He doesn't want to do then we have to remove him on that contract.

Commissioner Pascual Sablan – No if he for example stop subleasing then he can just fall back to the old license right?

Administrative Director Michael Borja - Correct.

Nominated Commissioner David Matanane – Which he shouldn't right now but if he wants to stop subleasing that piece of property then he can do that also and remain on that

particular license. But if he wants to continue subleasing it has to go into the new agreement.

Commissioner Pascual Sablan – Yes.

Nominated Commissioner David Matanane – That's all I'm trying to and make that thing straight because we've been dealing with that licensee for quite a while and it's been taking up a lot of our that's (interrupted).

Administrative Director Michael Borja - And the new rules originally there was discussion on how to deal with something like that and it doesn't say that anymore. In fact if you look closely the new rules also do not have Chamorro preference which was not included into this although it was criticized by the Speaker after it was passed by her Legislature. So that's all I have to say about that.

Vice-Chairman Joseph Cruz – Director with the approval of this public law do we have a running list as to an existing lease that would have to revert to this policy or this guideline?

Administrative Director Michael Borja - No.

Vice-Chairman Joseph Cruz – And how many do we have?

Administrative Director Michael Borja - Well there are some you'll see when I go through the process we have some leases that were created by public law not by the Chamorro Land Trust and they have expired and we couldn't entertain renewing them because there are no provisions for renewal on their lease. They've reached the maximum term of twenty-one years so they would have to fall under these new rules.

Vice-Chairman Joseph Cruz – How many of that are we expecting to entertain that have expired or needs to be renewed?

Administrative Director Michael Borja - Can I go through that and I'll mention it to you when we go through this list I'll mention what those are. There's at least one plus there's another one in there that never had a license or a lease and was given use of the land because of public need and now they would like to also legitimize that use of the land and they've been asking to do so for years but we couldn't get to it because there were no rules. So we'll get to that because it's kind of, it's going to be difficult how we walk through that because we have to go through a solicitation. How do you solicit something that's been there? That's something we have to work out. So that's your new set of rules and regulations so take a look through that and we're still trying to just make sure we don't miss something or it doesn't do something to existing activities or other laws that are in there.

2. Loan Guarantee Rules & Regulations

Administrative Director Michael Borja - I gave you a set of the revised draft copy of the loan guaranty rules and regs that was adjusted after our public hearing. You'll see I crossed out original text in red and the new text is in yellow highlight and underscored. The

main gist of this is that what we found what we wrote was written because of a requirement by the public auditor and that we were writing to try and protect the program as quickly as possible because it had serious problems. The most serious of the problems in this loan guaranty program resulted from the issuances of loan guaranties to people who received SBA disaster related loans that had nothing to do with the normal process of getting a home loan guaranty. With the pending storm just like now on its way at the time we tried to draft something that could give some guidance on how to be able to operate. That was the one thing we had asked to have passed is the policy back in January and so now we're here at this point. When we put it into practice that policy what had turned out is that it was really, really very encumbering to the actual borrower. It required them to commit themselves upwards of \$14,000 in their own money without any prospect of being given the loan guaranty because of the things that asked. So that's why you'll see a lot of cross outs and where we went back in and a lot of this was done at the suggestion of the Guam Housing Corporation because they are actually the people that assist us in these loan guaranties. The people who have Chamorro Land Trust leases basically have to go through the Guam Housing Corporation. So Guam Housing already has certain processes in place for us to be able to do these kinds of things. So that's what was eliminated out and that's why you see a lot of red and it's not because we were trying to make it simpler we were still covering our bases we just weren't going to be encumbering people with significant amounts of money before they could even get their loan guaranty. We took away also the size of the home because it didn't make sense. As an example on one individual wanted to build himself a home on Chamorro Land Trust property the way our formula worked is that he would get a basic size of a house that was going to be 419 square feet. So he'll get a one bedroom tiny little house. Now it gives you almost like a one bedroom suite basically. In the end that's bad for us because in the event that he defaults we'd have to take that house and sell it to someone else in order to make up and recover our cost and to get that loan moving on to be paid out by someone else. You can't market a one bedroom house as easily as you can market a three bedroom house. So he's qualified to receive a loan that can build a basic three bedroom home then that's what we should guaranty. What we have found too is our problems with the loan guaranty program do not rest in the fact that people have problems with the loan guaranties for real homes that had to go through the whole Guam Housing process that's never been our problem. We have a very good success rate with that. Our problem rests with the disaster relief loans that's where our main problem was. These rules still cover for that kind of contingency because we put into place we're going to be putting into place safe guards to make sure that they accomplish certain requirements before we can issue them any money. So that's what's going on and again that was the suggestion a very strong suggestion from the Guam Housing Corp because they understand that when they too in their own business have to take care of a loan that's gone into default they have to resale that house and it's easier to market someone to buy a three bedroom home than it is to buy a one bedroom house. We actually are in the process of having to take over a one bedroom house and really it's about the size of half this room. It's a really tiny little house and we're taking it over only because not because they defaulted on the loan but because the lessee wants to terminate the lease and so it came with house. The law gives us the provisions and requirements of what we have to do to take care of that so we're going through that process of having to determine the value of the house and find a buyer for the house. But that's what these rules and regs are so what I

need from you Commissioners is just to give the go ahead that we approve these rules and regulations to go the next step and the next step would be for me to get an economic impact statement which I'll get from GEDA and then I can forward it to the Governor to transmit to the Legislature for review and approval. But we do need to have this. This is one the things that we definitely have to have in place because it makes a whole lot of sense we have to have a policy established as rules and regulations for the governance of this money. We have you'll see later on you know over \$500,000 sitting in a trust just to cover for this but I'll go into more detail in the Director's Report about where we stand with SBA loan guaranties. It's very serious and I can't under estimate the issue that we have here. I've already been contacted by the legal people from the Small Business Administration to know what kind of programs we might have in place for this because they don't have anything in place either to govern some of these things. And it was really very disturbing how we go to this point and so we don't want to be at that point again.

Nominated Commissioner David Matanane – On that note is that the only option that you have when the lessee vacate the lease we have to sell, Chamorro Land Trust has to sell or we have somebody that can take over that?

Administrative Director Michael Borja - Oh no that's what we have we have to go through our list of applicants or existing lessees (interrupted).

Nominated Commissioner David Matanane – But you mentioned that we're going to sell.

Administrative Director Michael Borja - No we sell it to the next available applicant or an existing lessee. No it stays within our house, no we don't sell outside.

Vice-Chairman Joseph Cruz – So the term then should be leased to another client.

Administrative Director Michael Borja - The land will be leased to somebody else who will then take over the payments of the house to own the home.

Nominated Commissioner David Matanane – Not outside or marketing outside it's within the Chamorro Land Trust.

Administrative Director Michael Borja - We're actually concluding one of those and this one was even more specific it was a VA loan so we had to find someone who was VA qualified and who is eligible to get a VA loan and we have someone who was available to do that.

Vice-Chairman Joseph Cruz – On this Section 6 you don't have it on the attachment you have from Section 8 and then you jump in to Section 3 to 8. On Section 6, page 2 it says the definition of an agricultural lease and also the definition of a residential lease and it says here as defined on Section 6.5 and 6.6 of these rules. What's the area for this lease for agricultural and the area for lease for residential?

Administrative Director Michael Borja - 6.1 and 6.6 see these are all going to be part of the Senator Bordallo rules and regulations. This is just another section of the set of rules so it's defined within that set of rules in those specific sections.

Vice-Chairman Joseph Cruz – Because in your definition for a tract of land for residential homestead it could be considered a residential unit on the desire to build a home on the tract of is that (didn't finish). I'm just trying to relay the two definitions as if you were to assess a residential lease and the total number of bedroom or square footage for a residential house versus a residential and agricultural lease. Is this going to be like a mixed use being that you have an agricultural on one side?

Administrative Director Michael Borja - No they're allowed to build a home on either one of these kinds of leases so it doesn't matter to us what kind of lease they have if they want to put a home on it. They're allowed to put a home on it we're just defining what (interrupted).

Vice-Chairman Joseph Cruz – If we approve a residential home on a half acre and then an agricultural activity is compromising the residential use at what point do we say no to a residential lease or a residential (interrupted).

Administrative Director Michael Borja - Well no they can't I mean a residential lease is just for a residence, agricultural lease is (interrupted).

Vice-Chairman Joseph Cruz – But you're authorizing them to build a home.

Administrative Director Michael Borja - No because the law allows us to have a home with an agricultural lease. They are allowed by law to build a home on agriculture and then they can farm it too but then it says how they have to farm. They either have active farming going on or they plant so many trees.

Vice-Chairman Joseph Cruz – No but agricultural meaning it could be livestock it could be farming. You know what I'm saying? What I'm getting at is the activity of an agricultural in a residential. The activity is two different activities a residential use and an agricultural use and you're mixing them on a half acre lot or a quarter acre lot or a one acre lot. I don't see that being (interrupted).

Administrative Director Michael Borja - Are you thinking zoning?

Vice-Chairman Joseph Cruz – Activities I'm thinking environmental activities on an agricultural lease having a residential use having a farm or grazing.

Legal Counsel Kristan Finney – The law allows a residence on an agricultural lot and then rule 6.6 gives the parameters for the residence on the agriculture lot.

Vice-Chairman Joseph Cruz – That's why I said I don't have a copy of 6.6.

Legal Counsel Kristan Finney – Oh so just don't have a copy of the rules.

Vice-Chairman Joseph Cruz – That's what I'm getting at I mean if it's there then.

Administrative Director Michael Borja - Well no it's there like I said we're just referring to the basic rules and regs the Paul Bordallo rules and regs that this would be a subset of. This is just another as it says this is (interrupted).

Vice-Chairman Joseph Cruz – As long as we have the guideline on the activity that's being (didn't finish).

Administrative Director Michael Borja - Yeah, yeah it refers to that part on the Paul Bordallo that's why at the very beginning it says this is added to the Paul Bordallo rules and regs.

Commissioner Pascual Sablan – You know where you're concerned is that if a person is going to build a house either on a residential, agricultural or what about that farming (interrupted).

Vice-Chairman Joseph Cruz – I just want to understand whether there is a guideline for us not to do a mixed use into a, a half acre is a small area for a residential and agricultural.

Administrative Director Michael Borja - Actually there's two kinds of agricultural leases. There's subsistence agricultural and commercial agricultural and we just got it specifically defined in a recent public law that says that (interrupted).

Vice-Chairman Joseph Cruz – I'm just viewing the general definition of item 1 and item 6 and being that you mentioned that 6.6 has that criteria for the activity then, I didn't see the (didn't finish).

Administrative Director Michael Borja - You don't have basic set of rules and regulations?

Vice-Chairman Joseph Cruz – Yeah but I (interrupted).

Administrative Director Michael Borja - Okay well that's where it's at.

Vice-Chairman Joseph Cruz – Do we need a motion for this?

Administrative Director Michael Borja - To approve it so I can move on forward with this. What I'll do is once you approve this I'll clean it up and make it into a clean draft that can then go forward with the rest of the approval process this is all part of the Triple A process.

Nominated Commissioner David Matanane – Has it gone through already? Have we sent it to them already or we had the public hearing already.

Administrative Director Michael Borja - We had the public hearing.

Nominated Commissioner David Matanane – Have you submitted it to the Legislature?

Administrative Director Michael Borja - No I can't I'm waiting for you guys.

Nominated Commissioner David Matanane – Oh to get the approval?

Administrative Director Michael Borja - Yeah I got to wait for you guys. I still need to get the economic impact study. The purpose again for all of this is just to also protect the Trust to make sure that if we're going to guaranty somebody's home loan we are ensuring that the loan is paying for a house and that the house is meeting the requirements that are established by building codes and bank requirements. So that's what this thing does and again this was mandated by the public auditor as well and it's one of the requirements for us to tighten up the grip on protecting the money. Now I also mentioned in here that there's a need to try and have in reserve at all times a certain percentage of our money to be you know there has to be at least 5% of whatever we're going to guaranty or \$500,000 whichever is greater and there may be a way to get around that and if we do find that way then we can get this thing amended to be changed. But what it is is for the Chamorro Land Trust to go out and actually get a, Guam Housing calls it an insurance policy to protect so I don't have to have this great amount of money sitting on the side. So let's say if I want to guaranty \$200,000,000 worth of homes and 5% of \$200,000,000 is \$10,000,000 I got to have \$10,000,000 sitting in the bank for no good reason but to sit in the bank. And that's a lot of money to just have on reserve as a trust to cover the loans we're guarantying. With an insurance policy we could probably pay a significantly less fraction of that to be able to cover the loan guaranties we have and that's something they're already looking into for us. We'd have to go through an off-island source to do that but we have to do an RFP.

Nominated Commissioner David Matanane – It's an (inaudible) type of (interrupted).

Administrative Director Michael Borja - It's like an insurance it's just an insurance. So we don't have to have that great amount of money sitting down. And if we move forward with more housing subdivisions that we're trying, we have a vision for if the only way people can get loans for their homes is to go through Guam Housing because they can't encumber the land with the mortgage we have to have a viable loan guaranty program to be able to back that up.

Nominated Commissioner David Matanane – In that case then Guam Housing would be the forefront.

Administrative Director Michael Borja - Guam Housing would be our agent of source to manage this for us.

Nominated Commissioner David Matanane – And they'll also give us the heads up we are receiving or (interrupted).

Administrative Director Michael Borja - Well they are going to make sure that we're covered as well that's why they are looking at this insurance program for us.

Commissioner Pascual Sablan – So the loan guaranty is only for residential right?

Administrative Director Michael Borja - For residential homes yes. Well it doesn't have to be a residential lease. Whatever CLTC applicant who has a residential or agricultural lease that's going to build a house.

Commissioner Pascual Sablan – But not commercial.

Administrative Director Michael Borja - Not commercial. It's actually designed to be available for commercial but at this time I do not want to entertain doing any kind of loans or loan guaranties. But the actual Chapter 75 law gives the Chamorro Land Trust even other opportunities to do home loans and I want to stay completely out of that that's a whole other business model that we don't have the staffing for and it's banking. I don't want to get into the banking business. Guam Housing can be our agent to do that and that's why I'd rather be having an agreement with them to do that for us because I do not want to get involved in loans, commercial loans, home loans. The law gives us that opportunity to engage in that activity but I do not want to.

Commissioner Pascual Sablan – Does Guam Housing loan money for commercial?

Vice-Chairman Joseph Cruz – GEDA probably.

Administrative Director Michael Borja - No I don't think, they're Guam Housing Corporation it's just for (interrupted).

Vice-Chairman Joseph Cruz – That's a HUD money.

Commissioner Amanda Santos – Only for residential.

Administrative Director Michael Borja - Yeah if you want commercial you have to go through GEDA.

Commissioner Pascual Sablan – Okay.

Nominated Commissioner David Matanane – As soon as he smooths it all out we'll read it all, all in one sentence no distraction on that.

Administrative Director Michael Borja - What?

Nominated Commissioner David Matanane – On the draft.

Administrative Director Michael Borja - Oh you want it to be (interrupted).

Nominated Commissioner David Matanane – Cleaned up because you're doing it on a draft (interrupted).

Administrative Director Michael Borja - No the clean would be the red goes and the yellow stays.

Nominated Commissioner David Matanane – Yeah but we want to do that instead of distraction of red and yellow.

Administrative Director Michael Borja - Okay then we can wait till next month to approve this. It's only been a couple of months already and the longer we wait on this you know if it doesn't get into the Legislature before the end of next Christmas for them to vote it's going to die, dead in the water.

Nominated Commissioner David Matanane – You're ready right?

Vice-Chairman Joseph Cruz – It's going to be faster than the commercial.

Administrative Director Michael Borja - I hope so.

Commissioner Pascual Sablan – I move that we approve this proposed rules and regulations subject to all these corrections.

Commissioner Amanda Santos – And I second it.

Commissioner Pascual Sablan – Should I say correction?

Administrative Director Michael Borja - No not correction subject to final.

Vice-Chairman Joseph Cruz – Final draft.

Commissioner Pascual Sablan – Okay after we eliminate all the red then it will become a final draft.

Administrative Director Michael Borja - Yes.

Commissioner Pascual Sablan – Okay so that's my motion.

Commissioner Amanda Santos – And I second it.

Vice-Chairman Joseph Cruz – It's been moved and seconded. Motion to approve the final draft of the loan guaranty rules and regulations. All in favor?

Commissioner Pascual Sablan – All those in favor say aye.

Commissioner Amanda Santos – Aye.

Commissioner Pascual Sablan – Aye.

Vice-Chairman Joseph Cruz – Aye okay.

There were no objections. MOTION PASSED.

VI. NEW BUSINESS

1. Vicente B. Mesa & Joseph B. Mesa – Request to subdivide lease

Administrative Director Michael Borja - The three items here on New Business are issues that have come before us on people who have been working towards a lease and in this case we have two individuals Vicente Mesa and his brother Joseph Mesa. You have the staff summary on here. They're on a set of property they've been there actually since the Land Use Permit so they predate the Chamorro Land Trust Commission as well. They wanted to be jointly named on a lease and I cannot concur and so they wanted to subdivide the land and that's what they're trying to do. They actually did a survey map and I don't think I have a copy of the survey map here but you see in the pictures of where they are at right now and where the property is. It's right behind the Okkodu football field. So they're asking to subdivide and these are people who've been there like I said way before the Chamorro Land Trust Commission existed. And because we don't agree to have more than one individual on a lease for legal reasons that's the reason we didn't do the lease for two people however they do go back to the arrendo program the Land Use Permit program. So it's coming before you to either approve or disapprove their request to subdivide the property so that they can both be accommodated on here.

Commissioner Pascual Sablan – Mr. Chairman looking at this map I can see two houses here. What happened here?

Administrative Director Michael Borja - They had been residing on there forever.

Commissioner Pascual Sablan – Is two different I mean concrete house?

Administrative Director Michael Borja – Yeah they've been both residing on the land for (interrupted).

Margarita Borja (DLM) – No it's a storage.

Administrative Director Michael Borja – It's a what?

Margarita Borja (DLM) – According to them it was a storage. One is a storage and one is a residential dwelling.

Commissioner Pascual Sablan – What I cannot understand is you know is that according to the report that there's no farm activity yet we still allow these things to continue.

Commissioner Amanda Santos – It must be residential check.

Commissioner Pascual Sablan – No but cut it down since he is in violation you know I don't know I will not support to cut it in half and give it to the brother and the report is very clear that there's no farm activity going on so cut it down to half acre only.

Administrative Director Michael Borja - Is the lot size two acres or one acre?

Margarita Borja (DLM) – Two.

Commissioner Pascual Sablan – According to the report two acres.

Administrative Director Michael Borja – Then you're saying it's 4,000 square meters that's one acre.

Commissioner Pascual Sablan – Really they come in here and they ask for farming then they don't do farming but instead use the land (interrupted).

Administrative Director Michael Borja - Well you know it comes down (interrupted).

Vice-Chairman Joseph Cruz – What is the current lease now?

Administrative Director Michael Borja - Well anyway if we do divide it up because current law now says they can only get subsistence agricultural leases. The maximum size of that is half acre. Anything above that needs legislative approval. So I'd be happy to reduce the size of the property anyway and it'll have to be half acres.

Vice-Chairman Joseph Cruz – What's the challenge of this area being larger than half acre that's being occupied?

Margarita Borja (DLM) – It's currently two acres.

Administrative Director Michael Borja - It's currently two acres.

Vice-Chairman Joseph Cruz – So this one acre here is not right. This is what's being proposed? The 1,446?

Margarita Borja (DLM) – This is the approve map for the two acres.

Administrative Director Michael Borja - Oh they already went and got a map done?

Margarita Borja (DLM) – Yeah they surveyed the property.

Administrative Director Michael Borja - They surveyed the property and divided it into two one acre lots.

Margarita Borja (DLM) – No they're requesting.

Vice-Chairman Joseph Cruz – Did we give them authorization?

Margarita Borja (DLM) – They're requesting to subdivide the two acre into one acre.

Administrative Director Michael Borja - Oh this is the map of their lot and they're requesting to subdivide it. This is the existing map of where they're at they haven't subdivided.

Commissioner Pascual Sablan – In the first place they haven't surveyed.

Margarita Borja (DLM) - They did survey it right here just in 2015. They surveyed the two acres. We're trying to issue the lease because the request to add Joseph was approved by Mr. Camacho at the time Acting Director and they went ahead and were given the survey authorization to survey the two acres.

Commissioner Pascual Sablan – And cut it in half.

Margarita Borja (DLM) – No to survey the two acres and then when they surveyed it the map was completed we put together the lease and at that time legal advised us that she didn't want to have two names on the lease.

Commissioner Pascual Sablan – Yeah but in the very first place they asked for the two acres so they can go into agricultural lease (interrupted).

Administrative Director Michael Borja - No they didn't ask for anything Mr. Commissioner they already were there. They were there before the Chamorro Land Trust Commission was created. They existed on the property. They've lived on that lot since they had a Land Use Permit.

Vice-Chairman Joseph Cruz – Who's on the lease now? Who is being recognized Vicente or Joseph?

Margarita Borja (DLM) – Vicente. Vicente currently has a lease and in 2012 (interrupted).

Vice-Chairman Joseph Cruz – Under Vicente he has the lease.

Margarita Borja (DLM) – Vicente had a lease for two acres and then came in I believe in 2012 and requested to add his brother Joseph. It was approved as the second lease holder just to add him into his lease.

Vice-Chairman Joseph Cruz – We didn't approve for beneficiary?

Margarita Borja (DLM) – No he requested to add his brother onto his lease so it was approved. So now that we are issuing the lease for both brothers (interrupted).

Administrative Director Michael Borja - It was approved by the Director.

Margarita Borja (DLM) – Yeah the Acting.

Vice-Chairman Joseph Cruz – But it didn't go through the Commission.

Administrative Director Michael Borja - Not the Commission.

Vice-Chairman Joseph Cruz – We're shooting ourselves in the foot.

Commissioner Pascual Sablan – But isn't that a fraud you ask for two acres so you can farm but you never did.

Administrative Director Michael Borja - They didn't ask for anything Mr. Commissioner they had it already. They've been there. This was not land given to them by the Chamorro Land Trust Commission. This is just land legitimized by the Chamorro Land Trust Commission as a result of the arrendo the Land Use Permit that they already had and been granted the use of this property since before the Chamorro Land Trust Commission. Because of the size of the property they were at they were given an agricultural lease because of the size.

Nominated Commissioner David Matanane – All of you have the chrono here on H. it says on November 25, 2014 letter addressed to Vicente B. Mesa from CLTC denying his request to transfer acreage to brother Joseph R.B. Mesa, memo signed by Deputy Director David Camacho for Director Michael Borja. So we cannot have two and also legal is saying you cannot have two on a lease.

Administrative Director Michael Borja - Two names on one lease that we were denying two names on one lease.

Nominated Commissioner David Matanane – But where are we at now? Who is on the lease?

Administrative Director Michael Borja - Vicente Mesa is on the lease.

Nominated Commissioner David Matanane – But he has two acres.

Administrative Director Michael Borja - Right and because we wouldn't put their names on the lease so they can have both legal use of the property they asked to subdivide the land.

Nominated Commissioner David Matanane – The lease would also indicate that there's two acres that he's leasing.

Vice-Chairman Joseph Cruz – Both of them applied?

Administrative Director Michael Borja – Only one applied.

Vice-Chairman Joseph Cruz – The one that's not on the lease did he apply?

Margarita Borja (DLM) – He had an application but his date and time wasn't up yet.

Vice-Chairman Joseph Cruz – Oh so that's where they're at.

Nominated Commissioner David Matanane – So bringing along the brother in order for him to get on the role to get. Did he apply? The other brother apply for a lease on Chamorro Land Trust?

Commissioner Amanda Santos – He should apply.

Administrative Director Michael Borja - Yeah we just said he did.

Nominated Commissioner David Matanane – Both of them?

Vice-Chairman Joseph Cruz – No the first one is like a homestead he was there prior to Chamorro Land Trust. The second one being added on he needs to apply and he applied.

Nominated Commissioner David Matanane – He was approved to add on and then it was a disapprove. Legal didn't approve two people on one lease now who has the lease?

Administrative Director Michael Borja - Vicente Mesa.

Nominated Commissioner David Matanane – But then it was denied.

Vice-Chairman Joseph Cruz – No, no, denied to put his brother on.

Nominated Commissioner David Matanane – Yeah because bringing in somebody else (interrupted).

Vice-Chairman Joseph Cruz – That's why we're here now.

Nominated Commissioner David Matanane – So in actuality he's jumping claim trying to get (interrupted).

Administrative Director Michael Borja - No, no, no he's not. They're just trying to take one existing piece of property that was already leased out just the same as we did with the Garridos. It's the same as we did with other properties that were Land Use Permits and they had asked to subdivide it. It's going to be the same as what you're going to see in a couple of these other cases that's the reason I bring it to you because I believe that the Commissioners need to make a decision on this. But they predated the Chamorro Land Trust Commission. They came in prior to it and then the lease was given to one but they've both been using the land but it was one lot. Now they want to subdivide it out like others have asked us to do and we have granted their approval on. This is the exact same thing.

Nominated Commissioner David Matanane – But what was their (inaudible) for Chamorro Land Trust?

Administrative Director Michael Borja - Well if you read the papers recently on the Garrido family they didn't apply for the Chamorro Land Trust until they asked to do this. So it's the same kind of concept that's happened except that Mr. Joseph Mesa was I don't know what his year is.

Vice-Chairman Joseph Cruz – That's what we need to know.

Administrative Director Michael Borja - I don't think the year matters anymore on this because he's already been there we're just (interrupted).

Vice-Chairman Joseph Cruz – No Vicente was there not Joseph.

Administrative Director Michael Borja – No Joseph and Vicente had both been living there.

Commissioner Pascual Sablan – But only one on the lease.

Administrative Director Michael Borja - But only one on the lease because it was only one lot.

Commissioner Pascual Sablan – So there it comes the old saying damn if you do damn if you don't. In other words if we were not to allow this then (interrupted).

Administrative Director Michael Borja - No you've done it already with others. You've done it for the Land Use Permit people only. Not for a person that got their land primarily and originally from the Chamorro Land Trust Commission. And that's what you saw you know in the paper these were people that already had Land Use Permit numbers or the Mayor's had verified that they had been on that property prior to 1994 or 1994 and earlier which the law requires. We can't evict these people that are there.

Commissioner Pascual Sablan – If that's the case then I think we're in a better position if we approve this as I said because we would be taking care of two instead of one right?

Administrative Director Michael Borja - Correct and we're not giving away any more land it's already the same piece of property that they're just asking to divide it in half so each can have their own name so that legally now you can take care of each one of them. But with two names on there then you run into a problem of you know future problems.

Nominated Commissioner David Matanane – New rules only half acre right?

Administrative Director Michael Borja - Well that's the law and did this come before the law you know that's for us to figure out.

Nominated Commissioner David Matanane – There's our stickler.

Administrative Director Michael Borja - Well we'll figure that one out as we run it through.

Nominated Commissioner David Matanane – I'm just kind of trying to work it out and see in my mind where that thing is you know if it's theirs that (interrupted).

Administrative Director Michael Borja - Yeah I'm not trying to get people to be jumped the list okay. In fact when these kinds of things happen we tell them look just like you'll probably see a beneficiary you know they never even signed up for the land but now they're going to get the land because the original lessee passed away right. So we say fill out an application and give us the documents we need for the record and that's how you get a person who's somehow jumped the list.

Nominated Commissioner David Matanane – I understand but you know we kind of beat it to them so we can really find out what's going on. So all I'm saying is (inaudible) and like you said there was one incident that we did in that Garrido case.

Administrative Director Michael Borja - But as you saw the scrutiny I get on these kinds of things is above and beyond the call of duty okay. So you know I don't you know I make sure that it's covered too and I'm not trying to give anyone; I don't even know these people.

Commissioner Amanda Santos – So the other brother can apply for the other acre.

Commissioner Pascual Sablan – If we don't approve. Now if we approve then it's taken care right Mr. Director?

Administrative Director Michael Borja - Yeah otherwise his name comes up and you give him some land someplace else but here you're not losing anything from the inventory. You're not losing anything out of the inventory. The inventory is not being reduced.

Commissioner Pascual Sablan – And it never occurred in our mind that you're jumping the list.

Administrative Director Michael Borja - Oh yeah I know I'm hoping Senator Cruz does too.

Commissioner Pascual Sablan – Okay I'm satisfied so I move that we approve in splitting the property into two. But he has to sign another lease right the brother?

Administrative Director Michael Borja - Oh yeah there'll be a whole separate, he has to do a survey.

Commissioner Pascual Sablan – No I think according to (interrupted).

Administrative Director Michael Borja - No, no, no they have to subdivide it out because what you see is one lot. They have to break it in half. But we'll double check all the other issues that's come up recently in lot size and all that other stuff.

Vice-Chairman Joseph Cruz – Make your motion.

Commissioner Pascual Sablan – Yeah I'm already, request to subdivide this, I move that we approve this.

Commissioner Amanda Santos – I second it.

Vice-Chairman Joseph Cruz – Motion to approve.

Commissioner Amanda Santos – I second it yeah.

Vice-Chairman Joseph Cruz – The motion is made to approve the lease for Joseph Mesa.

Commissioner Pascual Sablan – Anymore Mr. Director? Anymore comments on Mesa?

Administrative Director Michael Borja - No I don't have any.

Commissioner Amanda Santos – Are they farming on it?

Vice-Chairman Joseph Cruz – No.

Commissioner Amanda Santos – This must be agriculture.

Administrative Director Michael Borja - Okay so it's approved?

Vice-Chairman Joseph Cruz – The motion was made and it was seconded by Mrs. Santos to approve to subdividing the property for an acre lease.

Commissioner Amanda Santos – The two brothers to apply for separate lease yeah.

Administrative Director Michael Borja - All in favor?

Vice-Chairman Joseph Cruz – All in favor say aye.

Commissioner Pascual Sablan – Aye.

Commissioner Amanda Santos – Aye.

There were no objections, MOTION PASSED.

2. Mark Duenas – Opening of easement

Administrative Director Michael Borja - This is located off of Route 15 looking down towards Marbo Cave area. What had happened is we had a tract of land and the surveyor was told subdivide this property up so we can issue a map. The surveyor then made a right of way which is the blue that went right through somebody's house that was already there. They already existed there. So as a result you cannot transit to these properties on the back and this is up on a cliff. This is a cliff line right here so these houses are up on top of a cliff looking down onto Marbo. And so you have this house right here that is blocking the way for that easement. Why he put the right of way right through somebody's house is beyond me but that's what we have now. So we have an issue here where the individual Mark Duenas wants something done so he can access the assigned property he got. I think he's one of these houses one of these lots here just so he can get in there. That's the issue that he has. The other issue he has is that he wants us to clear the road way going to his property which is not normally a task that we take upon ourselves to do. But the primary issue here is how and what do we do. The only other alternative we have perhaps is to assign them a different area. I mean I can't uproot this house, I can't move these people out right now.

Vice-Chairman Joseph Cruz – Is this concrete?

Administrative Director Michael Borja - I think it's semi, semi-concrete.

Matthew Leon Guerrero (DLM) – Wood and tin.

Administrative Director Michael Borja - Wood and tin. It's not like it's impossible to move but there's persons living there you know and they came before the lot was subdivided.

Nominated Commissioner David Matanane – And where's his lot now? On this particular map where's his lot? Where did you put him?

Administrative Director Michael Borja - The guy the individual is on one of these so he has to come up this road way this right of way in order to get to the lot.

Nominated Commissioner David Matanane – Yeah but look there's still access. The problem there he has to cross all these lots.

Administrative Director Michael Borja - I don't know what you're talking about.

Nominated Commissioner David Matanane – Right here.

Administrative Director Michael Borja - No, no, no there's the access road here, this is the right of way.

Nominated Commissioner David Matanane – Oh on the top here?

Administrative Director Michael Borja - Yeah.

Nominated Commissioner David Matanane – Okay.

Vice-Chairman Joseph Cruz – So what is Mark’s lot number?

Margarita Borja (DLM) – 17-3.

Vice-Chairman Joseph Cruz – 17-3?

Margarita Borja (DLM) – 5402 (5402-R5NEW-17-3).

Vice-Chairman Joseph Cruz – Oh down on the end.

Administrative Director Michael Borja - So that’s the basic problem we have here and I just bring it to your attention. They just want to have the easement opened up. Do we know the individual that’s living in that house? Are they on a lease of any kind? Are they on a Land Use Permit?

Margarita Borja (DLM) – It says family currently living in the area does not have a lease. Research is needed to locate the actual lessee or pre-occupier. So they weren’t there probably at the time when they did the visit.

Vice-Chairman Joseph Cruz – So the current tenant or current occupant on this encroachment is not Mark?

Administrative Director Michael Borja - No.

Vice-Chairman Joseph Cruz – Do we have record of (interrupted).

Administrative Director Michael Borja - That’s what we don’t know who this person is. That’s what they need to do research on. When they went there to go do a field visit nobody was at that house to be able to talk with.

Vice-Chairman Joseph Cruz - This is saying encroaching, Public Works should cite them and it says we have no record as to who the tenant is.

Administrative Director Michael Borja - They came first before the drawing of the map.

Vice-Chairman Joseph Cruz – But with no legal documents.

Administrative Director Michael Borja - But with no legal documents but I can’t evict them either.

Vice-Chairman Joseph Cruz – No we’re not going to evict them let Public Works do that. That’s for the encroachment of rights of way.

Administrative Director Michael Borja - Well we can go about that.

Vice-Chairman Joseph Cruz – I won't entertain this.

Administrative Director Michael Borja - Well no it's just opening of the easement.

Vice-Chairman Joseph Cruz – Our legal issue here is the rights of way and that's under Public Works' jurisdiction. Now whoever is living there needs to be notified.

Administrative Director Michael Borja - What happened was when the survey map was brought in there was no as-built to show us that there was a house sitting on the right of way. So that's why the map got approved because we did not know (interrupted).

Nominated Commissioner David Matanane – But it's nullified the map right?

Administrative Director Michael Borja - No. It was done for (interrupted).

Vice-Chairman Joseph Cruz – It says here no as-built exist on the subject lot as per the approval of this map.

Administrative Director Michael Borja - Yeah so when they did the map nobody knew that this house existed on this road.

Vice-Chairman Joseph Cruz – Because this is not a subject map for this. The subject map for this alignment is RW, 17-8RW is the subject lot for this map. Where the house is at is not part of this subject map because it's a different; so we're making reference of the subdivision of 5402-R5NEW from Lot 3 to Lot 7 with 8 being the rights of way for those lots. The encroachment is connected to that alignment and it's not part of this mapping.

Administrative Director Michael Borja - They put this right of way, they drew up this thing (interrupted).

Vice-Chairman Joseph Cruz – No it's not it's a reference alignment for the subdivision of this parceling of 5402-R5NEW-17R. That is just a reference alignment but it's not a subject alignment to say that (interrupted).

Commissioner Pascual Sablan – In other words this is not coinciding with this.

Vice-Chairman Joseph Cruz – It is coinciding but it's not a subject alignment.

Administrative Director Michael Borja - Well the thing is when the right of way was placed nobody cared to note that there was a house right in the middle of the right of way when they designed the right of way.

Vice-Chairman Joseph Cruz – But it might not be the Government of Guam parcel it might be on the 5354 which is a private alignment, private property is it? And that private property

created this 60 foot easement known as Chalan, see this 60 foot alignment is not part of the Government lot.

Margarita Borja (DLM) – The adjacent lot is Chamorro Land Trust.

Vice-Chairman Joseph Cruz – Yeah it's not the basic lot of the Chamorro Land Trust its outside.

Margarita Borja (DLM) – It is, it is, it's all Land Trust so we created that easement coming into (interrupted).

Vice-Chairman Joseph Cruz – So do we have the mapping for 5354?

Margarita Borja (DLM) – No that's behind it. Coming off of Route 15 that Chalan Guaje that's Chamorro Land Trust property.

Vice-Chairman Joseph Cruz – See we're not looking at the same map.

Margarita Borja (DLM) – Are you looking at the property map for 5402?

Vice-Chairman Joseph Cruz – Uh-hum.

Margarita Borja (DLM) – If you look at that map you see Route 15 and then that Chalan Guaje the 60 foot right of way that's the easement going into his property. It connects to that.

Vice-Chairman Joseph Cruz – So this access easement that we're discussing is on Tract 15344.

Margarita Borja (DLM) – Yes, yes that's Chamorro Land Trust property. So you need to take this easement off of Route 15 onto Tract 15344 to get into 5402-R5NEW-17-3 through 7.

Vice-Chairman Joseph Cruz – But going back again whoever is living on that house we have no file that they're leasing. Correct?

Matthew Leon Guerrero (DLM) – Research still needs to be done because they didn't identify who they are so we don't know if they're a Land Use Permittee or what they're status is. They're still trying to determine.

Vice-Chairman Joseph Cruz – So we won't be able to make any decision if we don't know who we're dealing with.

Margarita Borja (DLM) – He's just basically I guess coming in to request the CLTC to open up the easement. That's his request.

Vice-Chairman Joseph Cruz – He wants us to entertain a request out of the subject lot.

Margarita Borja (DLM) – His easement to go in.

Commissioner Pascual Sablan – And why when this map was made no notation that there's encroachment?

Administrative Director Michael Borja - That's my point there was no notations made. Nobody noted it and so you know as it looks (interrupted).

Vice-Chairman Joseph Cruz – That's because it's not the subject lot. If you go back to Tract 15344 that's the notation you need to read whether the house was there when they created that subdivision.

Margarita Borja (DLM) – It wasn't it. It was there but it was not as-built. They didn't as-built it that's why the map (interrupted).

Vice-Chairman Joseph Cruz – But no notation on a special (inaudible).

Margarita Borja (DLM) – That's why that was the situation we have. When they submitted the map they didn't do the as-built the map got approved with that house in the right of way.

Vice-Chairman Joseph Cruz – This is the subdivision that created that (inaudible) and the subject lot Mark is back here. So in other words we need to take a look at this map to see how was that and what date was this map. 2015, it's just recently and no as-built?

Commissioner Pascual Sablan – Maybe we should table this for further discussion.

Administrative Director Michael Borja - Oh this is the master plan subdivision.

Vice-Chairman Joseph Cruz – The master plan it's not an approved map it's just a concept.

Administrative Director Michael Borja - Yeah it was just to lay out all the lot numbers.

Vice-Chairman Joseph Cruz – Well make a motion.

Administrative Director Michael Borja - Well I don't know what do we want to try and do?

Vice-Chairman Joseph Cruz – We need to find out first who's on that alignment.

Administrative Director Michael Borja - Yeah so we don't have to move on this I mean we'll go and do some more research to find out all this. We'll work with these applicants and find out if it's going to take us awhile to get these people this house moved out of the right of way (interrupted).

Vice-Chairman Joseph Cruz – But I really strongly recommend that we should work with Public Works because it's a road easement it's a road alignment. It's not a leased property that we're leasing. So if we find out that our research say that we don't even have a file it's like let's say it's anybody just went in because there's a house nobody is taking care of it that's already an illegal entry. So Public Works with the research of our office.

Administrative Director Michael Borja - Okay.

Commissioner Pascual Sablan – One quick thing Mr. Director you said this is a cliff line?

Administrative Director Michael Borja - Yeah.

Commissioner Pascual Sablan – And why didn't this proposed easement just put a cultisac here?

Administrative Director Michael Borja - Oh you know I don't know I can't answer that question. Because I was asking why can't they access through this road but the problem is this road is a drop, it's deep.

Commissioner Pascual Sablan – I make a motion to move (interrupted).

Administrative Director Michael Borja - No I don't think we need a motion. We'll work on this one. We still have to work on it because we have to find out more information. We're just bringing it to your attention.

Commissioner Pascual Sablan – Okay if it doesn't need.

3. Artemio Tudela Maanao – Request to issue leases to Edward T. Maanao, Barbara C. Maanao and Artemio C. Maanao

Margarita Borja (DLM) - This is kind of like the same situation with the Mesas. The father comes in Mr. Artemio Tudela Maanao, original applicant, 1995, was issued a two acre parcel.

Administrative Director Michael Borja - But Mr. Maanao was actually a Land Use Permit that's why he got this lease.

Margarita Borja (DLM) – Yeah and then in '95 was issued the property. He put in a letter in 2013 requesting to parcel his two acre property to accommodate his three children, Artemio Maanao, Barbara Maanao and Edward Maanao to include him in the parceling. In June it was approved by Mr. David Camacho, Acting Director. They were requested to survey based on the approval so that meant that he would parcel the two acre into half acre lots. The map was approved in January 2015. In October we prepared the leases for all parties, Artemio Maanao, his son Artemio, Barbara and Edward. Submitted to the Director and it was disapproved pending the Board's approval. So Ms. Barbara Maanao is here today if you have any questions.

(Commission took a break: 2:38pm – 2:50pm)

Administrative Director Michael Borja - ...the other three leases is because again they were out of sequence and it was out of the ordinary type of situation that I believe needed to be before the Commission to get approved. That being said they did get approval from prior individuals to do the survey. They got the survey done. They spent the money to do all of this. The survey was approved and it is recorded. Again there is no loss to the Chamorro Land Trust inventory and I submit to the Commissioners with the recommendation to go ahead and approve to do these because again they came in as a Land Use Permit and that's how this piece of property was also acquired. It was not acquired originally through the Chamorro Land Trust it was acquired and used by this family through a Land Use Permit and we have that document to show.

Commissioner Pascual Sablan – Looking at the map there's two previous CLTC Directors signed it so (inadubile). **As a matter of formality and this one comes before us motion to approve.**

Vice-Chairman Joseph Cruz – **Motion to approve?**

Commissioner Pascual Sablan – **Um-hum.**

Commissioner Amanda Santos – **I second it.**

Vice-Chairman Joseph Cruz – **It's been moved to approve the request by Maanao and it was seconded by Mrs. Santos. All in favor say aye.**

Commissioner Amanda Santos – **Aye.**

Commissioner Pascual Sablan – **Aye.**

There were no objections, MOTION PASSED.

Administrative Director Michael Borja - **Mrs. Maanao we'll be signing your leases.**

Barbara Maanao – **Thanks a lot.**

Administrative Director Michael Borja - **Okay you're welcome.**

4. Review and approval of parcels designated for commercial use

Administrative Director Michael Borja - Pursuant to Public Law 33-95 in order to be able to begin doing any commercial activities we have to first present properties to the Legislature. So what has been given to you guys is a listing of all the properties that we are proposing to go through the approval process run by you first for commercial use. Again the way the process is going to work is that whatever you approve in this listing then it would go into a public hearing process. We'll set up for a public hearing for these lands to be commented by the public. Whatever the outcome of that is it will be presented to the

Commissioners once again and then by resolution whatever properties you do concur with again would be listed in a resolution that you would approve. And that resolution would then be part of the package to transmit to the Legislature where they have 60 days then to act upon it. There is a timeframe of 30 days in which once you've approved it by resolution we have to transmit to the Legislature in 30 days. They have 60 days to look at it. We cannot enter into any solicitation request until that 60 day period has elapsed or they have approved the properties before that time. So what we have is we can go through this, the first three pages are just a cover of, this is actually as a result of all the subdivision master plans that we had to do in part of the effort to get the land valuation done so you can actually see in color where these properties exist.

Nominated Commissioner David Matanane – CLTC and GWA are almost the same color. You can't hardly tell whether (interrupted).

Administrative Director Michael Borja - Well I wouldn't really worry about this because we're not going to be discussing this map here specifically okay. This is just to give you a general idea of where these things are all at and what it looks like pictorially of where our stuff is at. So the first property that we're looking at is **Tract 10123** formally called Lot 7121-REM in Yigo. This is the set of property directly across the street from Gain. There is already a roadway going in that dissects this actual lot that goes in there and it goes to brand new subdivisions in the back. This is the subdivision of land where there's 30 acres of property and I think it's subdivided into like 60 half acre lots. Well I'll just go down the list on the summary sheet we have here. It's approximately 30 acres, it's zoned agricultural, we list the ID number and the respective map. Its tax assessed value is 2.67 million dollars. The potential use for this is to be able to get a commercial lease with a developer and hopefully we can word it in a way so they can develop it into a subdivision community where then lots can then be redesigned to maximize the greatest use of the space. The purpose of that is so that they build the infrastructure in there. The infrastructure cost per lot would be significantly reduced. At one estimate we figured that they were able to put 130 homes into this 30 acre place you could probably see subdivision cost per lot at around \$25,000 and that's water, power, sewer, telecommunications and road. And then it could be qualified for a USDA SUTA loan. We would then sell. They would make houses affordable homes that could be sold only to CLTC applicants who qualify for home loans. And once those leases are assigned for those specific lots that these people that are going to buy homes on then that portion would be removed from the overall lease of this developer. In how this developer wants to go about it in building it in phases would probably be the most likeable way but this is something that still needs to be worked out as far as sitting down with developers. But I can't move on even that until once these rules are done so what we would do is look at some kind of working group with potential developers just to get an idea of what they can do to build something in here. But they can take advantage of SUTA loans which would be a big help. The way that this SUTA loan work is a low interest loan and is designed to put things like infrastructure into existing communities. This is an existing community, there's still a home still on this tract of land. So it can't be virgin property it has to have something that has something on it already. The way the SUTA loan also works is whoever owns the loan owns infrastructure. So you can't just turn this infrastructure over to Waterworks and GPA and think they're going to take over the loan they will not. Those

agencies will not. But if the loan is part of the loan cost it includes the infrastructure cost of around \$25,000 then once it's all filled they can pay off the loan and hand over the infrastructure to the utility companies. We can also in one of the things we're looking at because it's Government land we can also do things like establish covenants and we don't have to have homeowners association to enforce these covenants. We will be the enforcer of the covenants, we'll be the holder of the covenants. Covenants will include things like they can't plant cars in their back yard and things like that. They can only have so many fighting roosters in their front yard and things like that.

Nominated Commissioner David Matanane – Homeowners association.

Administrative Director Michael Borja - Well they don't need a homeowners association we are the association. So the recommended use here is to authorize for commercial use for the purpose of engaging in a commercial contract with a housing developer to install infrastructure and build affordable housing to be sold to eligible CLTC applicants or certain existing CLTC residential or agricultural leaseholders. So if we have people already with leases who want to change their mind and move over to one of these because now they got infrastructure where they didn't have before we'll take that too. We do those, they could reject their property and to move on over. So that's the first property.

Vice-Chairman Joseph Cruz – Going back to the recommendation, authorize for commercial use for the purpose of engaging in a commercial contract with a housing developer. Once we concur or approve the recommendation at what point do they come in for (interrupted).

Administrative Director Michael Borja - Oh no we would have to then come up with some really good specific type of RFP to talk about how we want to do this. That's why before we can even get to the RFP level we'd have to have some kind of round table or something to publically talk to these people and say what are the kinds of things we need to think about we've never done this before. What are the things we need to include in the RFP? What are the things that we need to do to help do this the right way?

Vice-Chairman Joseph Cruz – So if we issue this is it similar to like a turn-key construction?

Administrative Director Michael Borja - Uh-hum, uh-hum.

Vice-Chairman Joseph Cruz – So as we market out the unit you mentioned that the infrastructure would still be under the (interrupted).

Administrative Director Michael Borja - Under the contractor until it's completed and when he's done he can turn it over or he can probably even do it in phases and pay it off once we fill all the lots. But again the only people that can buy a home on this and can lease these lands are Chamorro Land Trust (interrupted).

Vice-Chairman Joseph Cruz – No but what I'm getting at is you mentioned that the utility would not be turned over to the Government until (didn't finish).

Administrative Director Michael Borja - Well no the utility companies would not accept an infrastructure if it comes with an encumbrance. If it has a loan attached to it they won't take it. So the only way to pay off this loan is when the people buy the homes that includes the cost of the infrastructure and they (interrupted).

Vice-Chairman Joseph Cruz – Let's say we sold a quarter, one-fourth of the whole subdivision (interrupted).

Administrative Director Michael Borja - Well he only does it by sections. If he does it in phases let's say and that's probably the best way to do it then he only encumbers himself to a loan to cover the infrastructure just for that one lot.

Vice-Chairman Joseph Cruz – What I'm getting at is at what point do we do the dedication?

Administrative Director Michael Borja - Again, again that would be something we could talk about in a round table. I mean that's just one way of looking at this, otherwise I take a piece of property that looks just like this and I issue out 60 acres of raw land with no infrastructure whatsoever. Now what we have going for us in this case is that the entry way there's a big major road there already with the main sewer lines, the main power lines all coming in. That's all done as a coordinated effort with these developers to say run your utility main systems along our area so that all you have to do is go in you know we don't have to go far to go to connect. It's there for us to connect to already. So we're already a step ahead. You know \$25,000 for a house with a full infrastructure is well worth the cost compared to some of our lessees who are talking about \$105,000. \$80,000 just to run a 6 inch water line, \$5,000 of power poles those kinds of things.

Vice-Chairman Joseph Cruz – So the total acreage of the 30 acres is strictly for residential, no commercial, no (interrupted).

Administrative Director Michael Borja - Yeah it's designed, well there could be and that's the other part you actually have a boxed off area here that was originally looked at to be a commercial area. I mean we'll let the developer figure this one out because you know if you're going to build 130 homes maybe it's good to have a little store area someplace.

Vice-Chairman Joseph Cruz – But if we sign the authorization for commercial use for the purpose of engaging in commercial contract will that contract include the proposed or future commercial (interrupted).

Administrative Director Michael Borja - Well the developer can then take off that area and again it's all part of the wording of how we would go about doing this. They come up and say hey this is where we think would be the best place to put you know a couple of stores and then we would go out and do that separately. They're not going to because their

purpose is just to subdivide, put infrastructure, build homes, sell the homes and get out of there. They're not going to be sublicensing or subleasing these homes to our applicants. We're going to do that directly and we'll be working with Guam Housing (interrupted).

Vice-Chairman Joseph Cruz – So you want to go a motion per parcel or you want to motion (didn't finish).

Administrative Director Michael Borja - Well let me go through the whole process first and then we'll take them. The next one is Tract 111, Lot 12 off of San Vitores Road actually this is a little known fact but we have actually a piece of property right across from that PROA restaurant. It's .63 acres, its hotel zoned, its tax assessed value is \$860,000. Its potential use, any commercial or multi-residential activity conducive to its size and location and again I just authorized for the commercial use for the purpose of engaging in commercial lease. I don't know what we can use for this but if we can just open it up and say here's a piece of property down in Tumon, if you're interested talk to us.

Nominated Commissioner David Matanane – Less than an acre huh.

Commissioner Pascual Sablan – They're going to use it for water basin.

Vice-Chairman Joseph Cruz – And this is vacant right sir?

Administrative Director Michael Borja - Yeah. You know which is the correct lot there guys that's the one that you put on there right? There was some kind of construction material there or something?

Vice-Chairman Joseph Cruz – Isn't this where that new condo?

Administrative Director Michael Borja - No the new condo is right over there on the (interrupted).

Vice-Chairman Joseph Cruz – Oh the other one the triangle the three lots.

Administrative Director Michael Borja - It's right next to it. It was originally designed for who's the guy with the big dinosaur over there in (interrupted).

Matthew Leon Guerrero (DLM) – This is the Tolan lease.

Administrative Director Michael Borja - So that's another lot. The next one Lot 7163-R1, Yigo. This is the area that we were talking about for Lajuna, 403 acres. Again because Public Law 33-95 basically kills any open solicitations if we want to entertain this again this is the opportunity to go through this to do for them again to take a portion of this property and terrace it down for future development of affordable home subdivisions. And in the process the mineral extractions would be a source of revenue for the Chamorro Land Trust Commission as well. The next lot is Lot 5138-2-R3 in Tamuning. This is a tiny little piece of property in that lot right next to between Kmart and Shell gas station and then old DISID

area is there. This whole area minus ours belongs to DISID and ours is a portion that we actually have its .7 acres and its worth just under \$729,000. Again its potential use is for any commercial or multi-residential activity conducive to its size and location. Our recommendation is authorize for commercial use for the purpose of engaging in a commercial lease. You can see that the road way that's going down that everyone, that's paved is not the true road way. The actual easement hugs up along GPA substation and the property line of Kmart. The next lot is Lot 5412 in Mangilao. This is off of Route 15 and it's adjacent to the GPA/GWA building, it's the Gloria Nelson building. It's approximately 74 acres and is zoned agricultural. It is worth \$717,000. Again there are coral pits, there are some actual old quarries down in here. Its purpose is to create a terraced subdivision you know try and fix that big hole and also to extract mineral. It could be a similar version of what we would try to do up the street in Lajuna. And then once we've gotten the land terraced it could then be made available to build affordable housing with full infrastructure. The next one is Lot 7054 in Yigo. This is off of Marine Drive. Again very close to the area where we're talking about for the housing subdivision. This is an area of property currently being used by International Bridge Construction. There is no lease with those people. It was just a gentlemen's agreement for somebody to be able to use that. But it's definitely being used in what would probably be classified as light industrial. It's approximately 12 acres and we do not have a tax assessed value for this property. Again its potential use is for either light industrial or any kind of commercial or multi-residential activity.

Nominated Commissioner David Matanane – It seems like there's some activities there.

Administrative Director Michael Borja - Oh yeah it's a construction company. The next lot is Lot 5075 in Tamuning. This is a little over 3 acres of property that's right behind East West Rental next to Nissan Motors and behind the water tower. This area also has actually a quarry in there that you can't really see that was from right after the war for the Navy. It is worth approximately \$815,000. Actually my estimate when I looked at other things this is actually worth closer to 1 million dollars.

Nominated Commissioner David Matanane – The proposal that we were discussing beforehand before this has it gone through?

Administrative Director Michael Borja - Well again this can be used for any kind of commercial or multi-residential. It's currently zoned R2 multi-family dwelling. There are a couple of inquiries already on this whole thing. We actually have one person that wants to buy the entire lot and do a half cash, half land transfer for part of it but Waterworks has also come in and asked for about 35% of the lot to build a new water tank which they have to do. They're mandated by law to update their water system and this is one of them that needs to be updated as well.

Nominated Commissioner David Matanane – Looking at that circle there is that the water tank?

Administrative Director Michael Borja - That's the water tower. That's the existing water tower but they need to build a new one and they need a greater amount of space now

because of all the different kinds of laws in place like they have that catchment and all that kind of stuff.

Nominated Commissioner David Matanane – It seems like it's a parking lot though.

Administrative Director Michael Borja - Well that parking lot is a private piece of property being leased to Nissan.

Vice-Chairman Joseph Cruz – Is it leasing? Is it freebie?

Administrative Director Michael Borja - No that's a lease which historically it was actually a land transfer. The Government took their land for something and this is what they got in return. So anyway that's a piece of property that's also available. The next one is Lot 5175-R4 in Tamuning. This is kind of set back behind the Mendiola houses off of Airport Road near Home Depot. This piece of property will definitely be something of value. That is phase 2 of the Tiyan Parkway will be coming down off the cliff from Tiyan and down into this area and join up at the intersection with Home Depot. It won't be directly abutting this highway but this whole area is destined for major development and you can see it's still empty.

Vice-Chairman Joseph Cruz – Right now it's landlocked?

Administrative Director Michael Borja - You know it's not and there's supposed to be a way to get in there but I'm still trying to figure it out myself. But there is supposedly a way to get in there. Its 4.5 acres, it's worth 3 million dollars, its high value. It is currently zoned R2 but it could be used for light industrial, commercial and multi-residential.

Commissioner Pascual Sablan – Where are you getting your amounts?

Administrative Director Michael Borja - Rev and Tax. Those are just tax assessed they're not appraisals.

Nominated Commissioner David Matanane – Its worth more.

Administrative Director Michael Borja - Its worth probably a lot more than that. So when we go to lease it's based on the fair market value. So I'm just giving you a rough idea. If you're thinking I think the law said 10%?

Commissioner Pascual Sablan – 9%.

Administrative Director Michael Borja - It's 9% so do 9% and roughly amounts to what your annual rent would be.

Commissioner Pascual Sablan – Okay.

Administrative Director Michael Borja - The next lot is Lot 439-R1, Santa Rita. This is off of Route 2A and Santa Rita south of the fuel tank farm and adjacent to the Leon Guerrero properties. It's approximately 87 acres. It's zoned as M1 and its tax assessed value is \$888,000 but I believe it may be a lot more than that. Potential use is other light industrial or commercial activity conducive to its size and location and I recommend authorize for use now. Just to also let you know this is the property being used, currently leased by GRRP. The next property is Lot 10122-15 in Dededo. This is off of Battulo Street in Dededo between the old transfer station and right where the golf course is at. This is an area it's about 13 acres, it's zoned agricultural and it's worth almost 1.7 million dollars. It's currently being used as a metal scrap yard that was established after a major typhoon. We do not have any lease with these people. They're asking for one but we have not been able to do one for them because we had no authority to do it now we do. How we go about this would be kind of interesting but they're currently there. They want to do something. They've been asking to do it. They've already done their appraisals, they've done all the kinds of things that need to get done. We just couldn't complete it. So now that we have the rules I'm asking to authorize for the use of engaging in commercial activities to legitimize the current occupant of the land. This is one we have to work with and see how the RFP is going to be designed.

Nominated Commissioner David Matanane – How about the EPA factor?

Administrative Director Michael Borja - Well no they've got all those clearances, they're good. But this was established because they needed to have somebody to remove all the metal waste after the typhoons and they've been going good.

Vice-Chairman Joseph Cruz – But I think we should change the use.

Administrative Director Michael Borja - Change the use to?

Vice-Chairman Joseph Cruz – Different use not a scrap yard.

Administrative Director Michael Borja - Okay well you know right but then you would have to have them move out and go somewhere where we put them. If you look at the aquifer the northern aquifer plan anything that's of this kind of use really should be south of the aquifer. So you're talking about anything south of the line that connects Adelup with Pago Bay. That's outside of aquifer. The next one is Lot 5173 in Tamuning. This is off the west end of San Vitores Road also known as Oka Point. It's approximately 38 acres in size, R2 is the zoning and it's worth over 19 million dollars in tax assessed value. Potential use for any commercial or hotel activity conducive to its size and location and we recommend to authorize for commercial use for the purpose of engaging in a commercial lease. There was a previous public law that allowed us to go ahead and do this. I'm not sure how that public law works in light of the new public law but GEDA has also decided to be able to lease this but we all held off because of the lack of rules and regulations. This would be definitely something that would most likely have to be leased that is something greater than the permitted 25 years so we would have to go to through a determination of need process to get this at a greater period of time.

Nominated Commissioner David Matanane – These are two separate lots? The one on top there the red and the (inaudible).

Administrative Director Michael Borja - Yeah but we're only looking at the R6. Now the other issue we have is this property down here going down to the north that the Chamorro cultural center is using that's not included in this request although you know that's all part of Chamorro Land Trust too.

Nominated Commissioner David Matanane – What's this I'm hearing through the public that somebody is inquiring and also utilizing the Chamorro cultural center over there.

Administrative Director Michael Borja - Be careful what you say.

Nominated Commissioner David Matanane – That's why I'm asking. Is there any innuendos or whatever?

Administrative Director Michael Borja - I'm not under the table to be asking for deals (inaudible).

Nominated Commissioner David Matanane – Okay at least I mentioned it.

Administrative Director Michael Borja - Okay. Lot 5133 in Tamuning this is the Cushing Zoo. You know originally in the whole process of coming up with these rules and regs and in some oversight hearings they asked specifically the Senators were wondering how we could assist in something like this and there was language originally in the bill but has since been removed. So again here exist a facility that was created, permitted by public law and they still exist. So we can go in and look at that but you know we don't have a tax assessed value. It's about a quarter acre that's all it is. The lease has expired in accordance with the amount of time that was permitted by that public law. So again we're going to just authorize for commercial use for the purpose of engaging in a commercial lease to legitimize the current occupant of the land. Now we would have to put a solicitation out so whoever gives out the best opportunity for best and highest use of the property and you know you've got hotels and condos and other people around there that might see a need that could better serve the purpose.

Nominated Commissioner David Matanane – It's elongated huh?

Administrative Director Michael Borja - Yeah.

Commissioner Pascual Sablan – Mr. Director what would happen if their lease expire are they still paying us?

Vice-Chairman Joseph Cruz – For the use?

Commissioner Pascual Sablan – Yeah.

Administrative Director Michael Borja - No but you know they've been wanting to. They want to, they've been coming to us constantly trying to get this thing sorted out because how can I take money from somebody that I don't even have a lease on? I don't have any authority to do that either.

Commissioner Pascual Sablan – Maybe you should open an account a special account.

Administrative Director Michael Borja - Well that's where we're stuck in the middle of something right? I don't have any way to deal with this thing. I don't have any rules to tell me how to do it. The lease has since expired. There's no other provisions in the public law that allows us to do this. So you know this is just a tender one to walk on.

Vice-Chairman Joseph Cruz – But have we checked what do they have on site? Is there a cage? What kind of activity is going on?

Administrative Director Michael Borja - Well I think it adjoins this other property back over here which is theirs. Yeah they do regular, they have regular tours for school kids (interrupted).

Vice-Chairman Joseph Cruz – Yeah but do we know, do we know whether there's a (interrupted).

Administrative Director Michael Borja - A mountain lion (inaudible).

Vice-Chairman Joseph Cruz – Yeah or a cage or whatever.

Matthew Leon Guerrero (DLM) – There are existing cages along the backside.

Administrative Director Michael Borja - There are cages.

Matthew Leon Guerrero (DLM) – There's animals in there.

Administrative Director Michael Borja - It's pretty wooded you can't see in there from the outside.

Vice-Chairman Joseph Cruz – Nothing permanent then.

Administrative Director Michael Borja - I don't think so.

Nominated Commissioner David Matanane – How do they access from it? Here's Frank H. Cushing Way but how do you get to (interrupted).

Administrative Director Michael Borja - Well there's that other piece of property I think is, the one right behind the hotel is theirs too right it's (inaudible).

Vice-Chairman Joseph Cruz – The dash 2.

Administrative Director Michael Borja - No not just the dash 2 it's the one between the hotel and the condo.

Matthew Leon Guerrero (DLM) – It's their private property that abuts that in there.

Administrative Director Michael Borja - That's where the primary part of the zoo is. They're just using this other part over here too.

Vice-Chairman Joseph Cruz – The map says dash 2.

Administrative Director Michael Borja - No dash 2 is what is for lease but that (interrupted).

Vice-Chairman Joseph Cruz – No it's 24-1-2, basic lot 5124. Our lot is the 5133.

Administrative Director Michael Borja - Okay yeah alright. 5122 yeah, they're 5124 that's private. Okay the next one is Lot 7055 in Yigo. Again in approximately at the same area where we talked about already you know right behind Gain right behind the Yigo gym there's this big triangle of property. Its 43 acres large, it's zoned agricultural but it's unregistered. There's not even any current day map there's just a pre-war map that is just very unreadable. A portion of this lot has been designated as FEMA site for disaster debris management plan. It's one of the things we really need to have for FEMA. A portion of the lot is held in reserve for Guam Waterworks to determine location for future water well sites. But it's still unregistered and by law we're not allowed to use it for anything. But there is a request to use this property. Potential use is any commercial or residential activity conducive to its size and we can authorize for commercial use for the purpose of engaging in commercial lease but it is pending land registration. And then finally we have Alupat Island, Alupat Island is right off of Alupang Cove. It's a tiny little island which is near Onward Beach Hotel. I don't have any map for the island it's kind of just noted on several other maps. I don't have any tax assessed value but there are people requesting to use this. So I bring it up just to have it available. Any commercial activity conducive to its size and location and compliance with all restrictions established by the local and federal guidelines regarding coastline use and natural habitat. We did have a previous lease with one of the hotels for this. They rented it for the first 5 years and they chose not to exercise their option because the restrictions to access this island are really, really strict. You got to go through Parks and Recreation, you got to go through the Coast Guard, you got to go through Army Corps of Engineers, you got to go through God. You can't transport anything across the water if it's low tide. Nothing you transport can touch the bottom. So they had a lot of restrictions they weren't too keen about so they gave it up. But there are some people that have been requesting to use this and so you know I bring it for your attention just so that we can entertain that opportunity because a part of the law does say too that we can receive unsolicited request if someone says hey, I'd like to use a piece of property that you didn't use. But we have to go through this whole process to get that land approved first, go through a solicitation before they could even be able to use the land. So I figured we might

as well just ask for this anyway since it's been leased once before and there have been some request. So that's basically the sum of what we are looking at for today.

Vice-Chairman Joseph Cruz – How did you determine an acre? The summary sheet says none and the map says 4,047.

Administrative Director Michael Borja - Well because I didn't have a map to show me anything else. I think the Survey Division created this other section and I think that's where they just did an estimate based on dimensions.

Vice-Chairman Joseph Cruz – Does this have to go through registration?

Administrative Director Michael Borja - Umm I don't think it does but I have no map, we have no map that shows this. But it doesn't seem like its part of the ones that are needed for land registration. The surveyors would know if it needed to be land registration and they didn't say.

Vice-Chairman Joseph Cruz – The one in Agat I think Wonpat did the registration, the island.

Administrative Director Michael Borja - So anyway that's the gist of this. Are there any specific questions for any of these properties? I mean all I need for you to do is if you don't want any one of them or you want me to add something else let me know. But what I want to do is just proceed forward with the public hearing but I need then after that is your concurrence by resolution for us to (interrupted).

Vice-Chairman Joseph Cruz – So what you're asking then is these are all available lands.

Administrative Director Michael Borja - Well they're all of it yes.

Vice-Chairman Joseph Cruz – Is considered available.

Administrative Director Michael Borja - Well the unregistered one is the one that I'm kind of like, I'm presenting and if I can't get anything you know if I find that we shouldn't even entertain this because it's unregistered which I believe is the course I'm just presenting it because there has been request to use this land. So this would be in finding in our process in finding and doing the research I can then say look I made an attempt there was a problem with the land being available because it's unregistered therefore I just need to hold back (interrupted).

Vice-Chairman Joseph Cruz – No because the subject is review and approve for parcel designated for commercial use. That's item 4 so if we're saying we're going to make a motion to do these parcels we're saying (interrupted).

Administrative Director Michael Borja - Well not to, no, no well don't say what the agenda says. No what I need you to do, what we really need on this is that I need to

proceed because what the public law requires is that you approve by resolution these properties after we have a public hearing.

Vice-Chairman Joseph Cruz – I understand that but the agenda that we're dealing with (interrupted).

Administrative Director Michael Borja - Well then move that I proceed with taking this to a public hearing. That's all I needed to do.

Vice-Chairman Joseph Cruz – As what? Taking it to a public hearing as?

Administrative Director Michael Borja - As properties available for commercial use.

Vice-Chairman Joseph Cruz – That's what I'm saying. We're saying these are lots now being available for (didn't finish).

Administrative Director Michael Borja - Yeah.

Vice-Chairman Joseph Cruz – So my concern when I asked that was on the comments or recommendation.

Nominated Commissioner David Matanane – Are these properties the whole CLTC properties?

Administrative Director Michael Borja - No. All these no just the ones that we you know things that already have activity going on or things that we have had attempts to use.

Vice-Chairman Joseph Cruz – Because my concern that the recommendation is this affordable housing to be sold. That's kind of misleading if I was to read it as recommendation okay because we're going to be leasing it out instead of selling it right?

Administrative Director Michael Borja - No I'm not leasing the homes I'm selling the homes. I can't lease the house I can lease the land. The houses are to be sold.

Vice-Chairman Joseph Cruz – I understand but the agenda that we're dealing now is the land not the house. So we're saying we're approving Tract or let's say 10123 up in Yigo for a 30 acre subdivision to sell the house but we're approving the land for a 30 acre subdivision. You understand what I'm saying?

Nominated Commissioner David Matanane – The house hasn't been built yet.

Administrative Director Michael Borja - No the house (interrupted).

Nominated Commissioner David Matanane – We're just dealing with the land only.

Vice-Chairman Joseph Cruz – Because when it comes to the house it deals with GHURA or it deals with Guam Housing. We're addressing a subdivision for Chamorro Land Trust properties that are available right based on this listing.

Administrative Director Michael Borja - Okay this piece of property is available to use for something. In order for me to even talk to a developer it needs to be approved for a commercial contract.

Vice-Chairman Joseph Cruz – So that's the intent of this.

Administrative Director Michael Borja - Yeah with the purpose of building a subdivision because if I don't say it's for a housing subdivision you're going to say well it's available to do whatever you want to do with. You know you can build multi-unit homes, you can build a hotel, you can do anything you want to do out there but that's not our intent. Our intent is this has always been the first tract of land that Chamorro Land Trust has been looking at since I came on many years ago to look at trying to build subdivision homes and the process of doing it is you know these half acre lots are not suitable for a subdivision they're too large. The cost per lot for the infrastructure would be very high. I mean if this is going to be 60 homes as opposed to 130 and at \$25,000 per unit you're talking over \$50,000, you know \$75,000 per unit just for the infrastructure cost. So what's the purpose? It's to engage in a commercial contract with a developer to build the subdivisions of which those homes would be sold to our lessees whoever gets the lease. And that's what we're going to look for we're going to look for applicants who want to buy a home, qualifies for a loan and here you pick the house you want that you can afford be assigned to a lot to build it on and you got a house, there's your house.

Vice-Chairman Joseph Cruz – There's no difference than GHURA then I mean the one at Astumbo where they sold the property for \$2,500 or \$1,500 and they own the house. But that one there they can go individual. This one here is a package with a contractor.

Administrative Director Michael Borja - Yeah go in because otherwise I'm going to have an infrastructure that nobody can pay for. How can I get a contractor to you know I lease them the land and they say oh yeah I'll build a house if I feel like it. They're not going to get infrastructure to be built. I mean it'll be just like doing it now. If I took this raw piece of land and said okay you got Lot 75 you know it comes with nothing. The experiment we've been doing of giving out raw land does not work and this is the first attempt to try and get something where we're going to get people into homes that they're going to be built and to do it in a community that will have everything there without us having to spend hordes of money to build the infrastructure. If we had to put the infrastructure in all the Chamorro Land Trust properties on Guam I would guess we're talking a billion dollars and I don't have a billion dollars to even start thinking about doing that. So that's, I mean if you want me to change the verbiage I mean I don't have a problem with that. I just want to be able to proceed as soon as possible to at least take the lots if you want me to re-describe it I can work with you on that one on one. But just so we can start going the basic idea is to try and like for this lot that we're talking about is to take it and be a residential subdivision.

Nominated Commissioner David Matanane – So you're taking this and putting it out for solicitation.

Administrative Director Michael Borja - No, no, no we take it to a public hearing. So we'll have a public hearing, we'll announce it and everyone can come in and talk about these properties.

Vice-Chairman Joseph Cruz – We just want to be on the same page as to the intent of each of these parcels.

Administrative Director Michael Borja - Yeah well that's why I say in most of them I'm very general. You saw that it said whatever activity I can get you know it could be a multi-unit dwelling, it could be a commercial. In this one my intent is to build a home subdivision. In one of these in the Lajuna one it even says that with the future purpose of building residential subdivision but for the time being what its first purpose is is to terrace the land down to prepare it for future use.

Vice-Chairman Joseph Cruz – But on that parcel I think we should get a third party involved where it's going to protect or give us you know like an engineer because who's going to monitor once we get (interrupted).

Administrative Director Michael Borja - Oh well you know if you read the RFP and saw the thing for like Lajuna for example it was really pretty intense and the packages that came back were this thick of the kinds of things they had to do. There was before they could even start (interrupted).

Vice-Chairman Joseph Cruz – To enforce that package. We cannot rely on Public Works their staff won't be able to give us to monitor what was being followed on the package is what I'm saying.

Administrative Director Michael Borja - Well that's what we have GEDA to help us to do that as well.

Vice-Chairman Joseph Cruz – So that's going to be part of the package on the RFP to say that we have a third party looking over our interest because we don't have any (interrupted).

Administrative Director Michael Borja - Oh no yeah GEDA would be the people who would be managing our properties for us for commercial purposes and we already have a MOU for that purpose. We don't have the staff to do these kinds of stuff.

Vice-Chairman Joseph Cruz – No but isn't GEDA just issuing the contract but during the contract being worked on who's overseeing (interrupted).

Administrative Director Michael Borja - Well that's the point we can either do GEDA or we can do a third party and the contract is (interrupted).

Vice-Chairman Joseph Cruz – That's what I'm getting at because then GEDA is just handling the marketing of getting a contractor but once the contractor got the project who's going to be monitoring our, like look what happened to the race track. Who's really monitoring out there?

Administrative Director Michael Borja - Right and then that's the point and there were those kinds of controls that were in place for these kinds of stuff because GEDA put all those things in it and they were pretty strict and that's the reason why it didn't really move off the table as fast as it should because we kept saying look you need to start demonstrating these things you're supposed to do and it never got to that point where they were able to demonstrate it.

Vice-Chairman Joseph Cruz – We need a motion for item 4.

Commissioner Pascual Sablan – I think your concern is who is going to monitor the progress (interrupted).

Vice-Chairman Joseph Cruz – Yeah but he already mentioned it that that would be integrated in the RFP after GEDA sold the project.

Commissioner Pascual Sablan – Between us and GEDA, GEDA and the contractor. Now monitoring the progress of the construction would be GEDA and the contractor normally they don't go to Public Works.

Administrative Director Michael Borja - Well let's say the project is all done, who's monitoring that, the community? You know and the leases and all that once the houses are done or just while its (interrupted).

Vice-Chairman Joseph Cruz – No I'm only concerned about if you know we're hiring somebody to do a massive a massive grading okay so who's overseeing the grading part and who's overseeing the (interrupted).

Administrative Director Michael Borja - Well see I think we can probably discuss that at some other point because that is something that we have to really be closely monitoring because that's the kind of questions we're going to be asked about. That's the kind of questions people are (interrupted).

Vice-Chairman Joseph Cruz – Because right now we don't know what's happening with Guam Racetrack okay I mean who's really to say what was done based on the approval of the Commission.

Nominated Commissioner David Matanane - We did not approve the racetrack it was Public Law.

Administrative Director Michael Borja - No we stopped on one of their extraction things right the grading they only had a grading permit.

Nominated Commissioner David Matanane – It wasn't CLTC that approved that it's the same thing as the Country Club.

Vice-Chairman Joseph Cruz – I think we should have a say so in some as a Commission.

Administrative Director Michael Borja - On the?

Vice-Chairman Joseph Cruz – I mean it's our property right it's considered our land.

Administrative Director Michael Borja - What is? The golf course?

Vice-Chairman Joseph Cruz – I mean then entity of Government of Guam property is at our jurisdiction, it's ours so if we want to say okay what's the status of the golf course what's the status of the racetrack? Who can provide us that as an owner of the property? I know it was authorized by other entity of the Government but.

Administrative Director Michael Borja - And that's really a lot of the reason why even the public auditor has told us we needed to create a property management and financial management section to be doing those kinds of things. So that's what we're trying to work towards I mean I'm not looking to create a whole new multi you know (interrupted).

Vice-Chairman Joseph Cruz – Oh no it's there we just need to (inaudible).

Administrative Director Michael Borja - Okay so if you want to move on that to proceed with the public hearing because the final say is you guys on the resolution whether you want to use this land or not or you want to do something else different. The resolution in the end is what has to come but the resolution can't come until you have a public hearing.

Nominated Commissioner David Matanane – Would the resolution be you can accept it or partial or?

Administrative Director Michael Borja - No your resolution could say I don't want to do this piece of property. It will include this lot, this lot, it'll be an itemized list.

Vice-Chairman Joseph Cruz – That's where you put your conditions. You moved?

Commissioner Amanda Santos – Not yet.

Commissioner Pascual Sablan – Not yet?

Commissioner Amanda Santos – I move that the meeting be adjourned.

Vice-Chairman Joseph Cruz – No. Okay let me make the motion I move to approve the review and the approval of the parcels designated for commercial use as to be submitted for legislature public hearing. Right?

Administrative Director Michael Borja - For a public hearing. Say so moved.

Commissioner Amanda Santos – I second it.

Commissioner Pascual Sablan – You cannot make motion.

Administrative Director Michael Borja - That's why you're supposed to say so moved.

Commissioner Amanda Santos – I second it.

Commissioner Pascual Sablan – Oh you're helping me? So what am I going to say?

Vice-Chairman Joseph Cruz – So moved.

Administrative Director Michael Borja - So moved.

Commissioner Pascual Sablan – And you second.

Administrative Director Michael Borja - No then she seconds and you say all aye.

Commissioner Pascual Sablan – I'm asking her whether she's going to second.

Commissioner Amanda Santos – Aye.

Vice-Chairman Joseph Cruz – All in favor say aye.

Commissioner Amanda Santos – Aye.

Commissioner Pascual Sablan – I move okay.

There were no objections, MOTION PASSED.

5. Guam Resource Recovery Partners account status

Administrative Director Michael Borja - Item no. 5 is the GRRP and you know we've been working on this for quite a bit and you can read the minutes. Here is the latest statement of account of GRRP and this as of today which includes November billing they are, we are due \$107,000 and at \$4,400 a shot a month this is well past two years.

Nominated Commissioner David Matanane – Does this include the bounced check that we have?

Administrative Director Michael Borja - I think it does that's what he told me. There's the \$24,000 that's still (interrupted).

Nominated Commissioner David Matanane – Are you charging triple the amount by law?

Administrative Director Michael Borja - Triple the amount?

Nominated Commissioner David Matanane – Of the check that they bounced that's the law.

Administrative Director Michael Borja - I don't know I'm doing only what DOA (interrupted).

Nominated Commissioner David Matanane – Yes the law says if you write a check that you can't cover you're supposed to pay triple (interrupted).

Administrative Director Michael Borja - Well it wasn't that they couldn't cover they did a stop payment.

Nominated Commissioner David Matanane – Because they couldn't do it. But they still have to pay the law (interrupted).

Administrative Director Michael Borja - I'll have them take a look at that sir okay. I don't know.

Nominated Commissioner David Matanane – I just wanted to make you apprise that we still have a hand on that because when you issue out a check (interrupted).

Administrative Director Michael Borja - It's like trying to squeeze water from the (interrupted).

Nominated Commissioner David Matanane – Well you still you know need to record it and say that they're all trying we're all trying but we can't do it so all we want is our due amount.

Commissioner Pascual Sablan – I guess that won't to apply when you litigate.

Nominated Commissioner David Matanane – No but that's fine but as long as we emphasize that they did try and by doing that you know there was a (didn't finish).

Administrative Director Michael Borja - So you do have a letter in your file that we did send by certified mail advising them of the problem and for them to come current and their response was we're not going to be there. So I would like to just ask the Commissioners by motion to move forward on default as we've talked before but to proceed through the whole process and to advise them that they also have the opportunity through the administrative adjudication law for a hearing on this process as well and to follow whatever terms were listed on contract for default. But they are in default as far as I see for nonpayment. Now as I did mention or you may or may not know December of last year I did have a conversation with Mr. Wagdy Guirguis when he was here to advise him of this situation and with me was a letter to give and to advise him that he was in default. He also then in turn said well I can hold CLTC in default because it went against terms in the lease which stated

that the Chamorro Land Trust Commission was supposed to assist and support in them obtaining any licenses and permits to conduct their business. And what had been done was a previous Chairman of the Commission went before a regulatory agency when they were at a public hearing to receive a permit to operate and he voiced his objection to them receiving that permit and when asked are you speaking as a private citizen or as a board member of the Chamorro Land Trust Commission he said both. We confirmed that through the minutes of the meeting and so he failed in his fiduciary responsibility to uphold what he was assigned to do. With that being said I still want to proceed forth. If that's what he wants to do and he wants to go into legal battle then we would probably have to look at doing that but at this point he's definitely well in arrears and for just a nominal sum of \$4,400 a month that comes out to roughly two years and that's just not right.

Commissioner Pascual Sablan – So Mr. Guirguis is asking us to?

Administrative Director Michael Borja - Well we had an agreement after that conversation that he would pay me the sum that was due if I gave him a letter saying we would support his efforts to obtain his license and permits and that we would go through a third party to exchange those documents and that was his attorney. Through a series of attorneys they agreed. The attorney agreed to do that but he failed to present his certified check to his attorney and so we never gave him the letter. When I asked him later on what had happened he said well send me the letter. I said no you send me the check we'll give it to you when the check is cashed. So the exchange of those documents never happened that's the reason why we didn't present the default letter at the time because we had come to an agreement we would do this. And it was not anything significant all I did in my letter was state exactly verbatim what the lease said we were obligated to do and he didn't fulfill his obligations so we didn't give him the letter. So at this point now we're well past that and we need to just come to terms with this just because it's our job to say we got to do something with his lease.

Commissioner Pascual Sablan – You know it's beyond my comprehension they're holding Chamorro Land Trust accountable for what the Chairman did. I'm married for many years I cannot just go to the bank and say I'm here representing my wife when it requires her signature. I have to have something in black and white. What Mr. Calvo did and it came out in the paper that he said that he's here as a Chairman and also as an individual and he's not supporting EPA. Why would they accept Mr. Calvo's statement when he doesn't have anything? He's now the acting Chairman he cannot just go, he can do it but officially and legally he cannot say on behalf of the Commission without any resolution or any motion here (interrupted).

Administrative Director Michael Borja - Well based on you know we talked to the lawyers and you know there was an opportunity for him to have a case against us as well that would and could've included him saying well since you didn't fulfill your part you then have to pay us back everything we've paid to date. That's the risk we take but what do we have to lose here? We're going nowhere with this. The term of his lease I think has about another 7 years, Mr. Leon Guerrero is very well versed in this whole problem. So we have another 7 years, he has an option to renew and at that point we can refuse that option but

do we want to wait 7 more years and at that point we're going to be well into almost three quarters of a million dollars.

Vice-Chairman Joseph Cruz – So this default is for 2 years from the 14 to the 15?

Administrative Director Michael Borja - Well see that \$24,000 adds on because he had made that \$48,000 payment and then he did a stop payment on it and then he gave us a payment for half of it. That's why there's \$24,000 inside there that's what that \$24,000 is and the \$50 is for the returned fee that DOA charges.

Commissioner Pascual Sablan – Come again. Originally he made \$48,000 in payment?

Administrative Director Michael Borja - Yes.

Commissioner Pascual Sablan – Then what happened to that?

Administrative Director Michael Borja - Then we deposited it and then they stopped it.

Commissioner Pascual Sablan – Why?

Administrative Director Michael Borja - Because they told me oh we paid you with the wrong bank check. But when DOA cashed it it came back as a stop payment by the maker so then we presented that to them and they came back with another check with half of the amount.

Nominated Commissioner David Matanane – That's to prevent from paying three times the amount.

Commissioner Pascual Sablan – I think what you're referring to (inaudible) is if you leave it in and you prevail that thing comes in affect but (interrupted).

Nominated Commissioner David Matanane – You know why they stopped it is because if they hadn't gone through they would have to pay that amount of check three times the amount. Three times the amount of the forty-eight is almost a hundred some thousand right? So that's why they stopped it and I indicated it to Dave when he was here on the last meeting that he was here I told them.

Administrative Director Michael Borja - Okay.

Nominated Commissioner David Matanane – That's the reason why they stopped it and he knew that.

Vice-Chairman Joseph Cruz - So the default is from May 2014?

Administrative Director Michael Borja - Well we'll go back to the exact date because if you take that it's actually 2 years so it goes really back to almost December, I mean November, I think it's December of 2013.

Vice-Chairman Joseph Cruz – But have we given them any notice between that time?

Administrative Director Michael Borja - Oh yeah we've given them several. In fact this is the letter that told them the last time this was September 29th and we sent it by certified mail.

Commissioner Pascual Sablan – 2015?

Administrative Director Michael Borja - Yeah just a couple of months ago.

Vice-Chairman Joseph Cruz – After they stopped payment.

Administrative Director Michael Borja - Well not after the stop payment just the most recent one where we told them to show up too we're going to discuss your problem. Okay so do I have the go to go?

Vice-Chairman Joseph Cruz – Item 5, motion please. Motion to approve the default notice.

Commissioner Pascual Sablan – Everybody knows that this company for past two decades have been trying to get off the ground and they've been doing their very best but anyway to make a long story short I as a Commission member have also an obligation to this Commission and to the people of Guam so I **make this motion to write a termination letter. Right?**

Administrative Director Michael Borja - Proceed with termination of the lease.

Commissioner Pascual Sablan – Proceed with termination of the existing lease.

Vice-Chairman Joseph Cruz – Motion was made to issue a termination letter to Guam Resource Recovery Partners for default of the lease. Any second?

Commissioner Amanda Santos - I second it.

Vice-Chairman Joseph Cruz – Second and moved. All in favor?

Commissioner Amanda Santos – Aye.

Commissioner Pascual Sablan – Aye.

There were no objections, MOTION PASSED.

Administrative Director Michael Borja - Okay thank you very much Commissioners.

VII. DIRECTOR'S REPORT

1. Financial report

Administrative Director Michael Borja - Okay take you to the next one it's the financial stuff. As promised everything is now into QuickBooks okay so what you have are two basic kinds of accounts that we have. We have operations fund which is really not anything we can deal with it's just the monies that come in and it's based on what is put into the system by Department of Administration. It only goes to June because that's as much as Department of Administration has entered into the system okay. But this tells you how much has since gone into the CLTC operations fund. Now that they've created and it is now law to have a survey and infrastructure fund we'll be having another account for that as well. And there's another account that I'm thinking is going to be tasked in this session and that would be I think it's going to be like another survey fund or something. There's some other fund they're trying to create as well. That will be where all the property taxes are paid in full beginning of the term the lease that's what this new bill is going to be. The second one that's a thicker one is a series of different accounts that we have. This is the loan guaranty fund. It started off with \$500,000 and right now the current balance is \$512 almost \$513,000 from accrued interest. The first account of \$9,000 is the amount that is the interest and then you have two different other accounts one is a certificate of deposit and the other one is just a sitting account and you can see the interest that have been entered into the system. So that is what our accounts look like. Since this is the first one that you've gotten a chance to see we've also included all the bank statements that are corresponding to these accounts. I take it back this \$203,000 is actually a checking account for payment of any kind of stuff that we need but it is frozen we cannot write (inaudible) without authorization. Okay so that's where this thing is. The aging summary is another one that you have in your folder that was given to you before the meeting. It goes down and tells you where we stand in all the different accounts.

Nominated Commissioner David Matanane – Is this it the accounts receivable?

Administrative Director Michael Borja - The accounts receivable income by customer yeah.

Nominated Commissioner David Matanane – Is this all we have as account receivable or is there any other?

Administrative Director Michael Borja – No people who owes us money. GTA for example is not listed here because they've paid in full. They paid in full for the year at the beginning of the year so come January we're going to receive another check for like about \$300,000 plus dollars from GTA.

Nominated Commissioner David Matanane – Please check also GTA as I was indicating that I think for this year that they're due and I (interrupted).

Administrative Director Michael Borja – \$875,000?

Nominated Commissioner David Matanane – Yes sir.

Administrative Director Michael Borja – Oh yeah that fund has nothing in it. The issue with that is that when they have a surplus they're supposed to put the money into that account so they've managed to not have a surplus.

Nominated Commissioner David Matanane – Even that \$50 if they put it in that surplus area we're ready to pick it up.

Administrative Director Michael Borja – What we're taking about is that there was actually a public law that requires the utility companies to put \$875,000 into this account for Chamorro Land Trust and they have failed to do so in the last three years and that was a part of getting the land.

Vice-Chairman Joseph Cruz – It's annual?

Nominated Commissioner David Matanane – Yeah and it's still not theirs anyway.

Vice-Chairman Joseph Cruz – Maybe we should get a collector.

Administrative Director Michael Borja – Yeah.

Commissioner Pascual Sablan – Did they officially transfer that land to Guam Waterworks and GPA?

Administrative Director Michael Borja – Through legislation yeah.

Commissioner Pascual Sablan – So what money are we talking about?

Administrative Director Michael Borja – Well that part of the law. Senator Pangelinan stuck it in there. It's actually in the budget law. So this is the incomes we've received in each one of these months. This is the one the one on the back side income is the start of the fiscal year so that's why it's zeroed out what we've received from these different folks.

Nominated Commissioner David Matanane – The one Senator Cruz was showing me during my confirmation doesn't drive with this. He was showing me the AS400.

Administrative Director Michael Borja – Oh yeah why don't you look at this operations fund doesn't it look like 1.9 million dollars? Looks like kind of the number he is looking at so I wouldn't worry about it.

Nominated Commissioner David Matanane – Yeah I wanted to yell what are you talking about? You're still behind a million dollars. The most beautiful financial statement and you're complaining.

Commissioner Pascual Sablan – I'm not complaining but I'm asking question, I'll be asking question it says interest \$360 then (interrupted).

Administrative Director Michael Borja – Well no because I had to make the ledger change because I wanted him to show that it's interest so (interrupted).

Commissioner Pascual Sablan – But how come it says (interrupted).

Administrative Director Michael Borja – Because he took it out, the balance still comes out the same he just had to make some corrections and that's why it all says interest. Before it just said deposit and I told him you need to put these entries in correctly for the financial. He's still kind of learning the software but it wasn't a fund transfer it was just a correction of something but I'll find out what (interrupted).

Nominated Commissioner David Matanane – Can we have also have Joey have an inventory of land?

Administrative Director Michael Borja – Huh?

Nominated Commissioner David Matanane - Inventory so it's a moving thing the inventory.

Administrative Director Michael Borja – You want an inventory of the land?

Nominated Commissioner David Matanane – Yeah as it goes and when we receive all the land that is returning to us then we'll increase our inventory so we can monitor it through that.

Administrative Director Michael Borja – How many pages would you like to do? I've provided Senator Cruz (inaudible) at 150 pages at (inaudible) font.

Vice-Chairman Joseph Cruz – I'd rather have a listing a quarterly listing of what is going to be available to us to you know available Government land listing that we should have quarterly so that we can project our counts and whatnot.

Nominated Commissioner David Matanane – So you'll know how many is out and how many is coming in.

Administrative Director Michael Borja – To do what?

Nominated Commissioner David Matanane – To monitor the inventory of land.

Administrative Director Michael Borja – We're not growing land. What do you mean coming in?

Nominated Commissioner David Matanane – But it seems like we are growing because I sat there and listened to all those remarks I got up there furious man. I was going to object to Senator and say what it didn't go through public hearing when you guys took it and you know putting it out in public hearing to take it back. It's not yours anyway I mean what's going on? Inventory wise it's not theirs man. I was going to yell stolen land is going to be returned. I was going to yell that out.

Vice-Chairman Joseph Cruz – No but we have this guideline of the rules and regulations we would know what's coming up on the next like the listing that you have.

Administrative Director Michael Borja – Oh yeah that listing we won't go through this again.

Vice-Chairman Joseph Cruz – I hope not.

Administrative Director Michael Borja – No, no the only time we'll go through this again is if (interrupted).

Nominated Commissioner David Matanane – Thank you I want to say this now I want to thank you for you're so you know he backed me up and I said wow he got my back. I was pissed man but I held on to, I didn't want to say so you did say the Chamorro Land Trust (inaudible).

Administrative Director Michael Borja – Well but the only time you will see another listing like this again is if we get unsolicited request we're told by law we have to entertain them. So we'll go through the process and get the lands to be approved and if you determine you don't want to do it when I come to you you don't have to.

Vice-Chairman Joseph Cruz – We already have a guideline of commercial lease right?

Administrative Director Michael Borja – Uh-hum.

Vice-Chairman Joseph Cruz – If we can just categorize the lots that are coming through that application we can just safely say okay category one, category two. We don't need to go and require any further research because it's already within the (interrupted).

Administrative Director Michael Borja – Oh yeah well these lands once they get approved by the Legislature yeah we'll designate them as you know that the process that they've already been duly approved. I don't know how they're going to approve this. I don't know how it works. This is the challenge we have. For example they actually asked me today or earlier this week to meet for a public hearing on all these lands next Wednesday and I said no the Commissioners haven't even had the opportunity to review it so you can't do that.

Vice-Chairman Joseph Cruz – Another thing I'd like to ask if you already have those parcels that we just list down if you were to package the commercial lease can you just invite me and see how you guys fill out those applications.

Administrative Director Michael Borja – There is no application for a commercial lease.

Vice-Chairman Joseph Cruz – No but the guidelines how are we meeting them? Guidelines as to how we go from point 1 to point 2.

Administrative Director Michael Borja – Oh okay.

Vice-Chairman Joseph Cruz – Because this is going to be the first. You're going to give us an application to okay approve for commercial use I don't even know how it got there.

Administrative Director Michael Borja – One last thing I need to mention to you and that has to do with these loan guaranties I was talking about. We've been going through this process since the OPA identified it to us in the middle of last year and we've identified and dwindle down the list that there were roughly 13million dollars in loan guaranties given out of which 78% were 10million dollars worth of it were for disaster relief loans. So you can see the other 3million were really just for regular people coming in for home loans. Of that we've got a very serious problem of how many people are not paying. We currently have about 15. There's 15 people that SBA has finally come back to us and said they have been classified as charge offs. Charge off in the federal terminology means that if you owe money to a federal entity and you have not made payments and they have not been able to collect they hand you over to the collection agency the Department of Treasury and there it stays until the end of time. And it's classified as charged off. If your name pops up at some future date as getting some federal assistance they will say you're charged off you are not qualified until you close off that payment. So we have some individuals who are in that category and we need to go back and figure out and it comes out to roughly around \$900,000 in loans. So we are having a series of meetings next week with all of them and we're going to discuss where they stand. Some of them there may be some good news coming out because they are actually on a payment plan with the Department of Treasury. So long as they have not paid off their account they will stay on that list and then when the agency that put them on there clears them off then they're cleared off that list. But if they're making efforts to do their payment then we'll know that hopefully by next week. For those who have not, those who are completely delinquent and have just blown it off there's going to probably be some efforts to terminate their lease. We'll give them the opportunity to do good but if they fail to do that we'll go through the process of terminating their lease and we're going to acquire their house or whatever property that's on that land that's part of their lease. So I don't want people to lose their homes but that's what could happen. The process the law says if we terminate someone's lease then we have to give them the opportunity to have a fair hearing through the administrative adjudication law which then says we have to have a hearing officer who is an attorney. An attorney that is not ours nor the Attorney General's they're not going to do it so we're probably going to be putting an RFP. So if you see an RFP coming out sometime soon we're going to just start trying to find a person to represent us when the time comes because we do have a series of cases.

Remember the guy before that stole all the land he hasn't had his hearing yet. So until he's had an opportunity to have his hearing or to waive it then it's not over. It's easy to give but it's hard to take. I don't want to take people's houses but we're going to probably be in a place and we have to do this because if we don't do this SBA and the Federal Government can look upon, could call on the debt from us.

Vice-Chairman Joseph Cruz – We're liable for that.

Administrative Director Michael Borja – Right but if we're showing that we're moving forward with rules and regulations to control this process in the future or to have activity on the way to sort out the debt problems then that would be to our benefit. So I just wanted to bring you to that you know let you know that this is an issue that has come to surface. We've been working with SBA since before the summer but SBA on Guam has gone from like you know two dozen people to two people. And then Ken Lujan suddenly got called you know he takes care of all of the Pacific so while he was gone, after our meeting he immediately left to go to take care of something in Pohnpei. Then the Saipan disaster hit and then he spent all his time up there dealing with SBA loans for them. But like I said I was contacted by the legal counsel office of the Small Business Administration to look into this whole issue to find out what we're doing so just to give you guys a heads up.

Commissioner Pascual Sablan – Let me ask this question now this arrendo program before what was the maximum acreage that they give out?

Administrative Director Michael Borja – I don't know.

Matthew Leon Guerrero (DLM) – It usually was an acre. It was an acre but then you know it was annually so sometimes they would ask for additional acreage and when we did the land use permits back then it was just more or less you know from this tree to that tree this is the area you can occupy and some of them just stayed. Most of these land use permittees that are coming forward today stayed they never left because around '92, '93 we stopped taking payment the \$40 payments because of the creation of the Trust and they were supposedly grandfathered into that program. But they stayed and some of them are just coming forward today.

Commissioner Pascual Sablan – Like for example Mesa we're talking about two acres okay from arrendo to Chamorro Land Trust, don't we have a procedure for Chamorro Land Trust that you would get only like half acre? Why are we giving more?

Matthew Leon Guerrero (DLM) – On that Land Use Permit sir there's a grid system there. We would have to take the old grid system and each of those grids are one acre grids so we need to determine based on this listing here that we created from Department of Land Management those numbers there that grid these here land square and section each of those units are one acre. So we need to determine which grid we used and how much of an area if we want to determine. But in their case it's just a basic lot area that they're at.

Commissioner Pascual Sablan – Let's say they have 10 are we going to give them the whole 10? I thought we're making that decision now?

Margarita Borja (DLM) – That's the way it was done.

Matthew Leon Guerrero (DLM) – I don't think anybody got 10 acres on the arrendo program.

Vice-Chairman Joseph Cruz – Anything over the arrendo program goes to the Department of Agriculture.

Matthew Leon Guerrero (DLM) – For their long term lease.

Vice-Chairman Joseph Cruz – Agriculture and issue out a long term 50 acres, 20 acres, 10 acres.

Matthew Leon Guerrero (DLM) – And we still have some of those that are active.

Vice-Chairman Joseph Cruz – And not being used.

Commissioner Pascual Sablan – My biggest worry now are we going to keep on entertaining certifications from the Mayors that yes this person is living on that place?

Administrative Director Michael Borja – Well that's what's allowed. That's what's allowed and that's the only way we know. If we they can't get a certification from the Mayor then (interrupted).

Commissioner Pascual Sablan – But do we verify it?

Administrative Director Michael Borja – Huh?

Commissioner Pascual Sablan – Do we make any efforts in verifying?

Administrative Director Michael Borja – From the Mayor?

Commissioner Pascual Sablan – No whether that person really or the Mayor certification is accurate.

Administrative Director Michael Borja – We get it from the Mayor.

Commissioner Pascual Sablan – Well the Mayors are very crooked you know.

Administrative Director Michael Borja – Now you know Commissioner you got to (interrupted).

Vice-Chairman Joseph Cruz – You can add an additional leg to it like asking do you have power bill, do you have water bill? That will suffice as to how long they were there.

Matthew Leon Guerrero (DLM) – And that list that you have right in front of you.

Administrative Director Michael Borja – If we have this list we don't need a Mayors certification.

Vice-Chairman Joseph Cruz – Yeah because they've already been there.

Administrative Director Michael Borja – That certifies that that's the property they've got.

Commissioner Pascual Sablan – Like one of this it was in the newspaper what's his name Terlaje I think they have so many papers then it goes down to the brothers and sisters. Is that the way we're operating? You know really my worry is how many more of these Mayor certifications going to come before us and we as you said we don't want to jump.

Administrative Director Michael Borja – Well no but these people really have been there you know.

Commissioner Pascual Sablan – Maybe they had but not necessarily they've been you know residing there all the time or their parents could be.

Administrative Director Michael Borja – Yeah but you know I can't question all of those kinds of things I mean I have to just use our best judgement and say you know if the Mayor is saying it is then I go with what the Mayor says. If the Mayors say I don't know who the heck this is then that's their problem.

Vice-Chairman Joseph Cruz – That's another thing is that yes you go to the Mayor for residency certification but what if you're just ranching how are you going to get that certification? Because I'm living in Barrigada and my ranch is up in Dededo and I've been there for the last 20 years, 40 years.

Commissioner Pascual Sablan – So then why would the Mayor certify that?

Vice-Chairman Joseph Cruz – No I'm not going to get a certification because I don't live there.

Commissioner Pascual Sablan – Well I think you're too honest but if they go to the Mayor?

Vice-Chairman Joseph Cruz – No but you're asking not accepting the Mayor's certification. We can only do so much. Because the key there is they were eligible prior to the Chamorro Land Trust.

Commissioner Pascual Sablan – So let the Mayor sign that perjury statement. Seriously. We're beginning to be like puppet here. I'm sorry Mr. Director and I know you people are doing your best but we have to, I don't trust anybody to begin with especially politicians.

Vice-Chairman Joseph Cruz – I trust you Mike don't worry.

Commissioner Pascual Sablan – Our tongue comes before our teeth but our teeth bites our tongue.

VIII. ADJOURNMENT

Commissioner Amanda Santos moved to adjourn the meeting. Meeting adjourned at 4:25pm.

Transcribed by: Teresa Topasna, WPSII: *Teresa Topasna*

Approved by Board motion in meeting of: *Jan. 21, 2016*

Michael J.B. Borja, Administrative Director: *MJB Borja*

Date: *1/21/16*

Joseph I. Cruz, Vice-Chairman: *Joseph Cruz*

Date: *21 Jan 2016*